

**City of Oconomowoc
Zoning Board of Appeals**

Wednesday, June 3, 2020 @ 6:00 PM

@ City Hall Council Chambers

NOTICE: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call Diane Coenen, City Clerk, at least 48 hours prior to the meeting at 262-569-2186 to request adequate accommodations.

Meeting Agenda

1. Call to order and confirmation of appropriate meeting notice.
2. Nominate / act on Chairperson pro tem.
3. Approve Meeting Minutes of May 14, 2019.
4. **Reynen Public Hearing:** The purpose of the hearing is to hear public comment on the variance application filed by Chad Reynen (property owner) for the property located at 833 W. LaBelle Avenue. The owner is requesting a variance from Section 17.202 – Residential Intensity and Bulk Requirements within the City Zoning Code, specifically the front yard setback in the Traditional Residential Zoning District, which does not allow structures within 20' of the front or street side property line. A variance of 7'6" is required to allow an addition to the existing dwelling to be constructed 12'6" from the street side property line.
 - Swear in those wishing to speak.
 - Zoning Administrator comments / presentation.
 - Applicant comments / presentation.
 - Citizen comments.
 - Close Public Hearing.
5. Consider/act on the request of Chad Reynen for a variance from Section 17.202 allowing a building addition to encroach 7'6" into the street side setback at 833 W. LaBelle Avenue.
6. **Jeffers Public Hearing:** The purpose of the hearing is to hear public comment on the variance application filed by Robert Jeffers (property owner) for the property located at 515 Greenland Avenue, City of Oconomowoc. The owners are requesting a variance from Section 17.202 – Residential Intensity and Bulk Requirements within the City Zoning Code, specifically the side yard setback in the Traditional Residential Zoning District, which does not allow structures, such as dwellings, within 7' of the side property line. The full variance of 7' is required to allow an addition to the existing dwelling to be constructed one-foot from the side lot line with an overhang of 1' leaving a total of one-inch from the side property line.
 - Swear in those wishing to speak.
 - Zoning Administrator comments / presentation.
 - Applicant comments / presentation.
 - Citizen comments.
 - Close Public Hearing.
7. Consider/act on the request of Robert Jeffers for a variance from Section 17.202 allowing a dwelling to encroach 7' into side yard setback at 515 Greenland Avenue.

8. **Frederick Public Hearing:** The purpose of the hearing is to hear public comment on the variance application filed by Dean Frederick (property owner) for the property located at 622 Anne Street, City of Oconomowoc. The owner is requesting a variance from Section 17.202 – Residential Intensity and Bulk Requirements within the City Zoning Code, specifically the side yard setback in the Traditional Residential Zoning District, which does not allow detached accessory structures, such as garages, within 3' of the side property line. A variance of 2' is required to allow the detached accessory building to be reconstructed one-foot from the side lot line.

- Swear in those wishing to speak.
- Zoning Administrator comments / presentation.
- Applicant comments / presentation.
- Citizen comments.
- Close Public Hearing.

9. Consider/act on the request of Dean Frederick for a variance from Section 17.202 allowing a detached garage to be reconstructed one foot from the side yard setback at 622 Anne Street.

10. Adjourn.



Diane Coenen, City Clerk
City of Oconomowoc

Members of other city governmental bodies (board, commissions, committees, council, etc.) may attend the above-noticed meeting of the Zoning Board of Appeals in order to gather information. The only action to be taken at the above-noticed meeting will be action by the Zoning Board of Appeals.

All Zoning Board Members please notify the City Clerk's Office at 569-2186 if you are unable to attend.

**City of Oconomowoc
Zoning Board of Appeals Minutes – May 14, 2019**

The Deputy Clerk called the meeting to order at 6:00 pm and confirmed that appropriate notice was given.

Members Present: Mark Gempeler, Kyle Driscoll, John Zapfel and Ken Brotheridge
Members Excused: Jake Nicholson
Staff Present: Jason Gallo and Tina Wallace

2. Nominate/act on Chairperson pro tem: Motion by Driscoll to nominate Board Member Brotheridge as Chairperson pro-tem; second by Gempeler. Motion carried 4-0.

3. Approve Minutes of December 3, 2018: Motion by Zapfel to approve the December 3, 2018 minutes; second by Gempeler. Motion carried 4-0.

4. Public Hearing – 6:00 PM: The purpose of the hearing is to hear public comment on the application filed by Daniel Bird (property owner) for property located at 118 Woodland Lane. The owners are requesting a variance from Section 17.202 Residential Intensity and Bulk Requirements within the City of Oconomowoc Zoning Code, specifically the rear yard setback in the Traditional Residential Zoning District, which does not allow accessory structures such as detached garages, within 5' of the rear property line. A variance of 2' is required to allow the existing detached garage to be reconstructed in the same location 3' from the rear property line.

Brotheridge opened the public hearing at 6:01 pm and swore in the property owner, Daniel Bird and Jason Gallo, City Planner. Gallo gave a power point presentation on the applicant's variance request. He stated this is for an area variance. They are asking for a waiver of an ordinance from Section 17.202 Residential Intensity and Bulk Requirements for the property at 118 Woodland Lane. This is regarding a detached accessory building. The City allows 5' from the rear property line as a setback. The applicant would like to encroach 2' into that setback. They would have a 3' setback maintained, so they would need to encroach 2' into the 5' setback. There is an existing non-conforming one car garage and the applicant would like to construct a one and a half car garage. Gallo gave a brief history of the property. He stated the applicant is requesting to tear down the existing garage and rebuild a new garage that would be about 22'x24'. There would be a 3' side yard setback which would be in compliance with today's standards, but the garage would encroach into the 5' rear yard setback requirement. Gallo stated in order for the Zoning Board of Appeals to grant a variance there is a three-part test. The applicant has the burden of proof to demonstrate that all three criteria defined in the state statute requirements are met: 1) is unique physical property limitations are existing; 2) no harm to public interests; and 3) unnecessary burden on the owner if it's not granted. Planning Staff finds the property contains unique physical property limitations, no harm to public interest and there is unnecessary burden placed on the applicant. Gallo concluded the Board has 5 alternatives to granting a variance: approve the request as submitted, deny request, approve the request in part, approve the request with conditions as determined, or postpone action. The Board should consider have they exhausted all other means; would a text amendment be a better solution and will granting this various set a precedent. The Board should consider the application, evidence during the public hearing, staff report, photos, letters and emails. Planning Staff recommends approval of the variance at 118 Woodland Lane.

Daniel Bird stated he won't be any further or closer to the neighbor in the back. The neighbors are in agreement with this. He is shifting the garage door a little to the north because it is difficult to back out.

No additional public comments were received. The public hearing closed at 6:27 pm.

5. Consider/act on the request of Daniel Bird (property owner) for a 2' variance from Section 17.202 relating to the rear yard setback for the reconstruction of the existing detached garage at 118 Woodland Lane:

Board was in agreement with staff findings.

Motion by Driscoll to approve the variance as it was provided with no conditions for the following reasons: 1) the property contains unique physical limitations due to the shared driveway, the closeness of the homes and how narrow the driveway is; 2) No harm to the public interest: A) There was no calls received in opposition to this plan; B) The letters of support by the neighbor, as well as the Alderman; and C) It's going to have similar footprint and it won't encroach any closer to the property owner behind it; and 3) There is an unnecessary burden due to the poor shape of it. If the variance is not granted there is a safety hazard there and, also the inability to turn around and needing to back out of the garage and driveway given today's standards; second by Zapfel. Motion carried 4-0.

No further discussion or action was taken.

Motion by Zapfel to adjourn the meeting of the Zoning Board of Appeals; second by Driscoll. Motion carried 4-0. The meeting adjourned at 6:31 pm.

Tina Wallace, Deputy City Clerk

Planning Department Staff Report

City of Oconomowoc

Zoning Board of Appeals –6/3/2020

Chad Reynen Addition

Variance Request

Summary: The applicant submitted a variance application, that would allow an addition to the existing dwelling 12'6" from the street side property line. A 7'6" variance is requested from the required 20' street side setback.

Property Location: 833 W. LaBelle Avenue, tax key number OCOC 0558.037.001

Property Owners: Chad & Tanya Reynen
833 W. LaBelle Avenue
Oconomowoc, WI 53066

Applicant: Chad Reynen

Existing Zoning: TR; Traditional Residential District
Existing Land Use: Single-Family residential use



General Location Map

Request:

The request is to construct an addition to the existing single-family dwelling located at 833 W. LaBelle Avenue. The existing structure is considered legal non-conforming and can only have additions that are constructed in accordance with the current City setback requirements, being 20' from the street side lot line. The proposed addition would not encroach any closer to the road than the existing building. Below are photos taken by City Staff, which shows the existing building.



The 20' x 22' (440 SF) addition would be attached to the existing dwelling. The main purpose of the addition is to change the home from a 2 bedroom & 1 bath to a 3 bedroom & 2 bath. The addition would be no closer to the street (front property line) than the existing house. The house is 12'6" from the property line along Chestnut Street and the addition would maintain that same distance.

History:

Previously this property was considered a corner lot with public street right-of-way along both the north side of the property and the west side of the property. To the north was LaBelle Avenue and to the west was Chestnut Street. In 1994 the street right-of-way of

LaBelle Avenue that abutted this property was vacated, now the property only has street frontage along Chestnut Street.

This is a significant finding. Dwellings with frontage along more than one street, must meet the front yard (street) setback for each street that the property abuts. Now that the part of LaBelle Avenue has become vacated, that side is no longer classified as a street frontage, so the structure only needs to meet the **side yard setback** (7' vs. 20'), adjacent to LaBelle Avenue.

The property **address** was also affected with the street vacation in 1994. The address for the dwelling is 833 LaBelle Avenue. This property does not abut LaBelle Avenue, but has a LaBelle Avenue address. When the property was constructed in 1941, the front door was facing the LaBelle right-of-way, hence the assigned address was given to the road that the front door was facing. With the vacation of the road, the previous "front" door now faces the side lot line. The front door does not face a public street.

On February 7, 2020, Planning Staff denied the building permit, since the plans showed the addition encroaching into the required street yard building setback of 20'. A letter of denial was drafted and sent to the property owner. The letter is attached.

Type of Variance:

The applicant is requesting an area variance, not a use variance. An area variance is intended to provide an increment of relief (normally small) from a dimensional restriction such as building height, width, area, setback, etc. To grant a variance, the Board of Zoning Appeals must determine if the request meets each of the three (3) statutory variance criteria (standards/tests) as provided below.

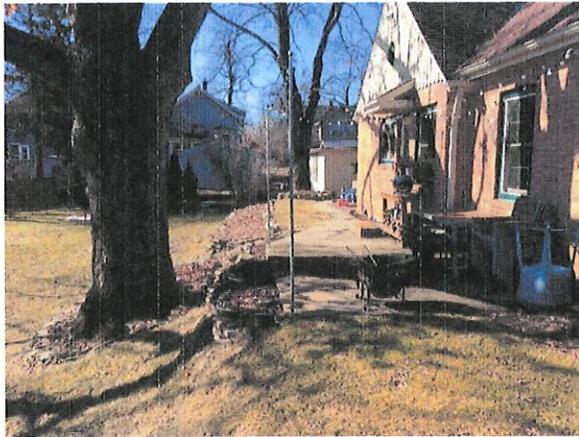
Public Input:

Staff has not heard from any public (either for or against) regarding this proposed project. The applicant informed the City that his intentions were to discuss their request with the property owners most affected by this project.

1 Unique Physical Property Limitations Standard:

The first test/standard deals with uniqueness to the property that other nearby properties may not have. The UW-Extension defines unique property limitations as follows: "Steep slopes or wetlands must prevent compliance with the ordinance. The circumstances of an applicant, such as a growing family, elderly parents, or a desire for a larger garage, are not legitimate factors in deciding variances."

Planning staff finds the property contains unique physical property limitations. This property contains a tree in the rear yard that is preventing the addition to be added on to in the rear yard, if the addition was built in the "rear yard", the tree would need to be removed. The tree is an approximate 150-year old oak tree. While the diameter of the tree is not 13' as stated in the application materials, the tree has a substantial diameter and circumference. On the next page find photos of the tree in relation to the dwelling and a second photo of the tree for scale purposes.



2 No Harm to Public Interests Standard:

The UW-Extension defines no harm to public interest as follows: “A variance may not be granted which results in harm to public interests. Public interests can be determined from the general purposes of an ordinance as well as the purposes for a specific ordinance provision. Analyze short-term, long-term, and cumulative impacts of variance requests on the neighbors, community and statewide public interest.”

Planning Staff finds the proposed variance does not harm the public interest. The proposed addition will not encroach any closer to the street setback than the existing home that has been in that location for almost 80 years. Staff reviewed other homes in surrounding area and the current 2-bedroom home is smaller than most other homes in. This addition will make the dwelling more consistent with the surrounding properties.



(neighbor adjacent to the south)



(neighbor directly across the street)

3 Unnecessary Burden Standard:

Planning Staff finds an unnecessary burden is placed on the applicant if the variance were denied. The applicant has a growing family and requires a 3-bedroom dwelling, but want to stay at this location. The applicant has exhausted all options, including building a second floor or out the back side. Neither option would work for the additional bedroom.

If the addition was constructed that adhered to the current 20' setback requirement, the bedroom would be reduced to 12'5 x 12', which does not include closet space. This is not a typical size for a master bedroom.

This addition will also provide the applicant with a “front door” presence on Chestnut Street. Currently the “front door” faces the LaBelle Street right-of-way that was vacated 25 years ago. This is a safety matter to have a higher-profile front door location. In case of an emergency, the property owner wants Police, Fire and EMTs to be able to get inside the dwelling as fast as possible. The dwelling’s 833 LaBelle Street address is already confusing, since there is no LaBelle Street frontage for this property.

Alternatives:

When reviewing variances, the City Zoning Board of Appeals should look at all potential alternatives prior to acting on the variance.

The owners by Ordinance are allowed a building addition with a setback of 20’ from the street property line. Variances can be granted in full or in part, below are possible options:

1. Deny the request as submitted. Ask that the addition conform to the 20’ setback.
2. Approve the request with no conditions. Allow the addition to be built (20’x22).
3. Approve the request with conditions. Ask the addition be reduced in size or any other conditions the Board feels are appropriate.
4. Postpone the request to get more information.

Staff Reasoning / Recommendation:

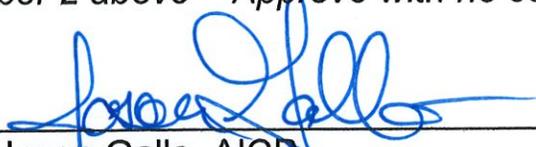
Staff prefers to save the large Oak tree, the addition will not encroach closer than the existing home, the home with the addition will be consistent with other adjacent properties and the addition will allow the front door to be relocated adjacent to the street.

Staff feels the application meeting the standards for granting a variance.

1. The property meets the uniqueness and physical limitations due to strict compliance requires removal of the existing large tree in the rear yard.
2. There is no harm to the public interest since the addition will not encroach closer to the lot line than the existing home and this home is currently smaller than the adjacent dwellings.
3. The owner would have a burden without the variance due to the room sizes and front entry would not have the higher-profile location.

*Staff feels the proposed variance meets the **statutory** requirements for granting a variance. Planning staff recommends **approval** of the variance request, per Number 2 above – Approve with no conditions.*

Submitted by: _____


Jason Gallo, AICP
City Planner/Zoning Administrator

Variance Application

City of Oconomowoc Zoning Board of Adjustment/Appeals

Date filed: 2-27-20

\$400.00 fee

| | Owner | Applicant |
|---------|-------------------------------------------|-----------|
| Name | Chad Reynen | |
| Address | 833 W. LaBelle Ave Oconomowoc WI 53066 | |
| Phone | 414 915 4123 | |
| E-mail | thechad669@sbcglobal.net | |

Please provide fifteen (15) copies of the following information:

1. A scaled map of the existing subject property showing all lands for which the variance is proposed, and all other lands within 200 feet of the boundaries of the subject property. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided;
2. A map of the generalized location of the subject property in relation to the City as a whole;
3. A written description of the proposed variance; (e.g. encroachment of 3' into a side yard setback)
4. A site plan of the subject property as proposed for development;
5. Written justification for the requested variance consisting of the reasons why the applicant/property owner believes the proposed variance is appropriate;
6. Describe alternatives to your proposal such as other locations, designs, and construction techniques. If you find such alternatives, please explain why you have rejected them;

Please answer the following questions (Fifteen (15) copies on separate paper):

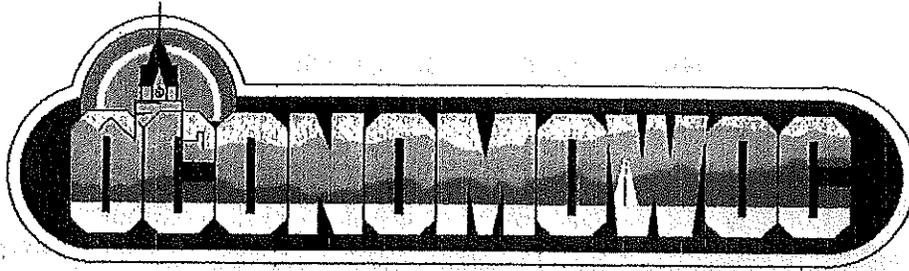
1. What exceptional/extraordinary circumstances, special factors or unique property limitations are present which apply only to the property? In what manner do the factors listed prohibit the development of the subject property?
2. Would granting the proposed variance be a substantial detriment to the public interest?
3. Would the granting of the proposed variance result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property, or other matters affecting the public health, safety, or general welfare?
4. Have the factors which present the reason for the proposed variance been created by the act of the applicant or previous property owner or their agent?
5. Would compliance with the ordinance unreasonably prevent the owner from using the property for a permitted purpose or would conformity with the ordinance create an unnecessary burden on the property owner?
6. Has the requested variance or any other variances been granted or denied to the property in the past?

I certify that the information I have provided in this application and attached documents are true and accurate.

Property Owner Signature:  Date: 1-29-2020

Applicant Signature: _____ Date: _____

174 E. Wisconsin Avenue · P. O. Box 27 · Oconomowoc, Wisconsin 53066
262-569-2166 · www.oconomowocusa.com



February 7, 2020

Mr. Chad Reynen
833 W. LaBelle Avenue
Oconomowoc, WI 53066

RE: 833 W. LaBelle Avenue – Building Permit Application, Addition to Home & Reconstruction of the Detached Garage

The City of Oconomowoc received your building application submitted on February 5, 2020, to construct a 20' x 22' addition to the existing dwelling and replace the existing garage with the new construction of an irregular shaped 997 SF detached garage at 833 LaBelle Avenue. The permit application for the addition to the dwelling is hereby **denied**; as the addition would encroach within the street / front yard setback of the property.

The subject property is zoned TR - Traditional Residential District. Per the City Zoning Ordinance Section 17.202, the front yard setback in the TR District for the principal structure is a minimum of 20' measured from the property line along any street.

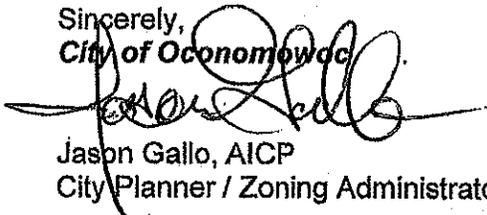
Per the drawing you provided, you identify that the addition will be constructed the same distance as the existing structure, which is 12'6" from the street side property line. The addition encroaches 7.5' into the side yard setback. At this time, I encourage you to change the plans to reflect the required 20' setback. You would need to reapply with a new map identifying the revised building addition location.

The proposed detached garage is located in the side yard of the property, and therefore complies with the Zoning Ordinance requirements. No variance is needed for the proposed detached garage.

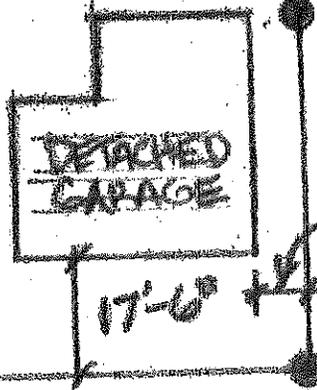
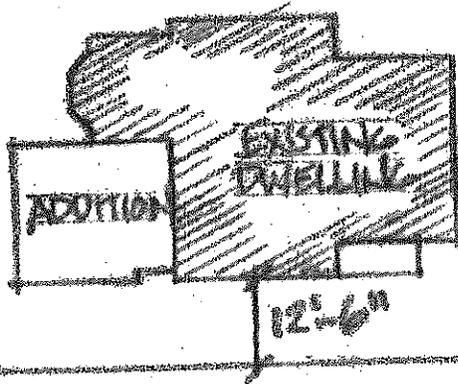
Another available alternative is to apply for a variance, as this requested encroachment would be considered a dimensional variance (7.5' encroachment). Please be aware that granting variances to allow structures within the required setback area may be challenging for the City. Certain findings must be made in order for the Zoning Board of Appeals to grant. The applicant is to include reasons why the setback encroachment variance shall be granted. Applications to apply for a variance are available on the City's Planning webpage.

If you have any questions or concerns, please feel free to contact the Planning Department at (262) 569-2166.

Sincerely,
City of Oconomowoc

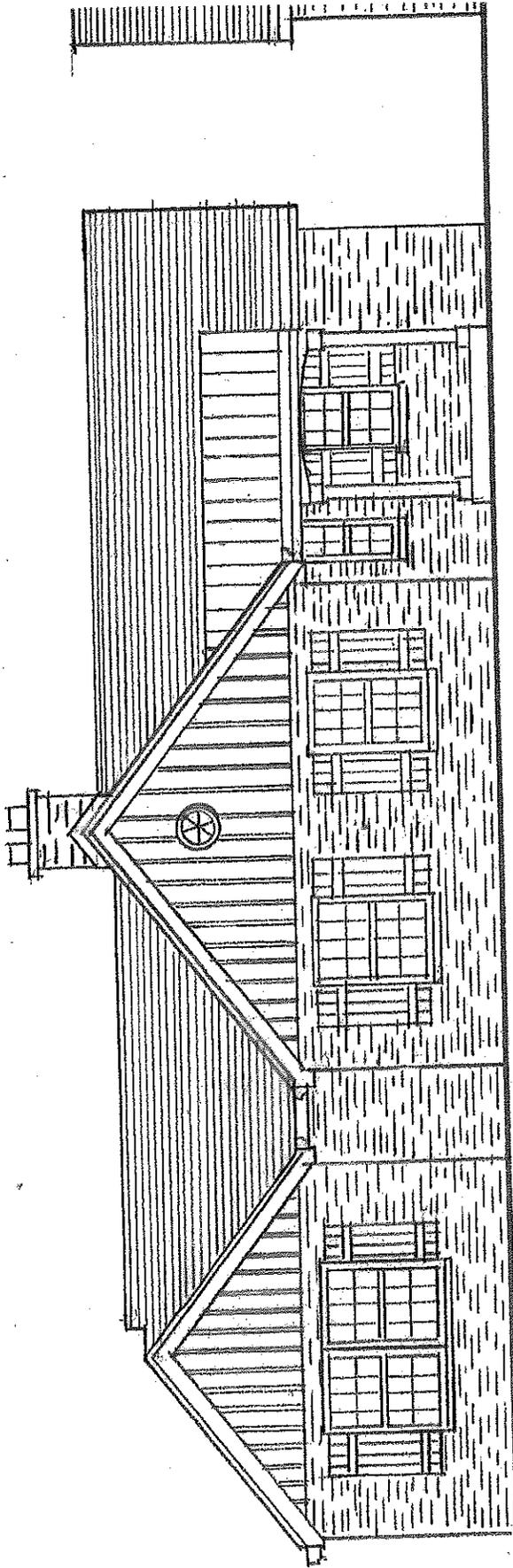

Jason Gallo, AICP
City Planner / Zoning Administrator

Cc: City Administrator
Building Inspection
Property File



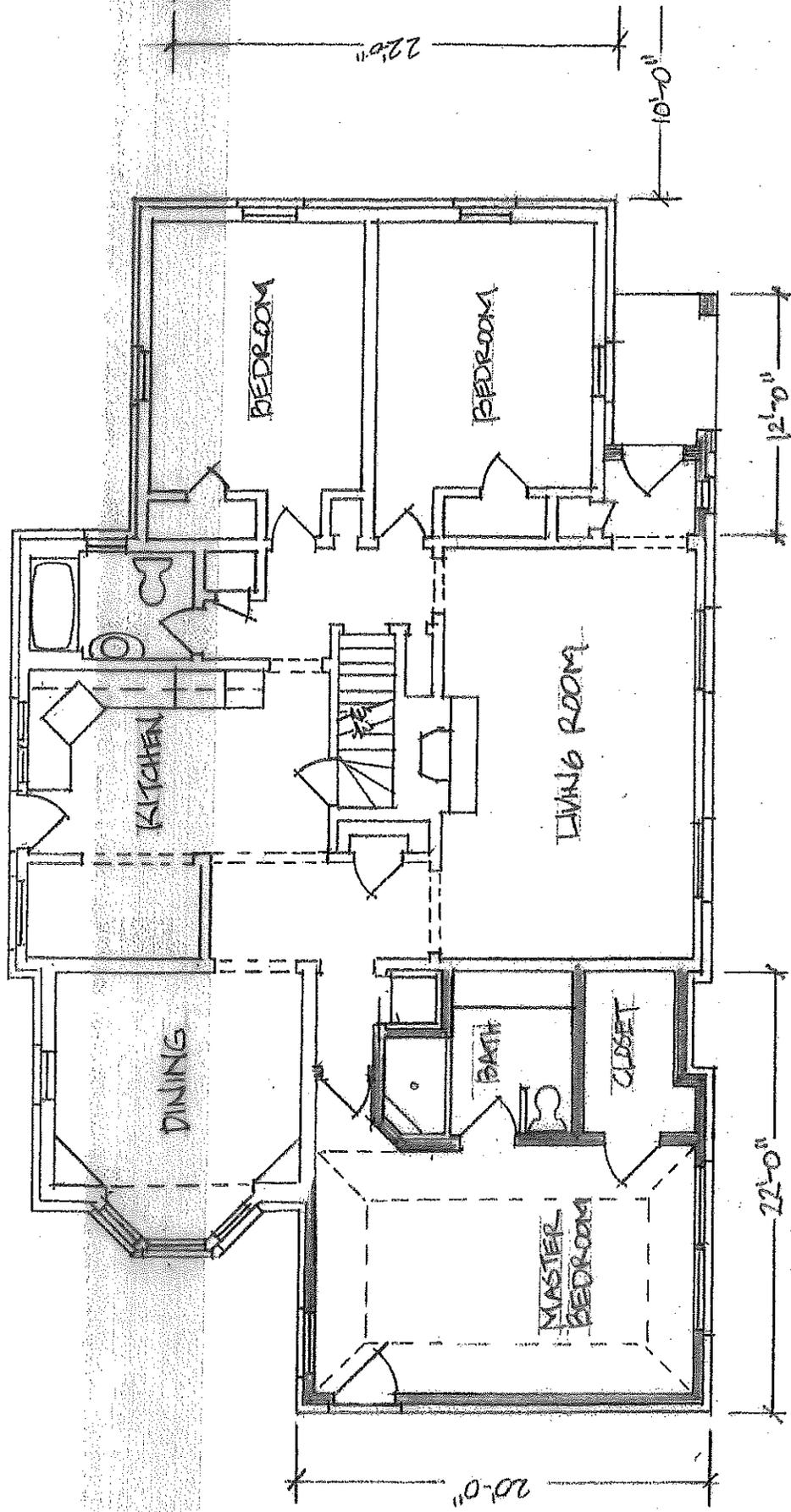
3'-0"

SITE PLAN



PROPOSED FRONT ELEVATION

1/8" = 1'-0"



PROPOSED FIRST FLOOR PLAN AND GARAGE

1/8" = 1'-0"

833 W LaBelle Ave



833 W LaBelle Ave

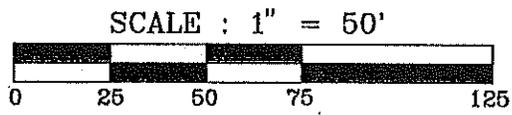
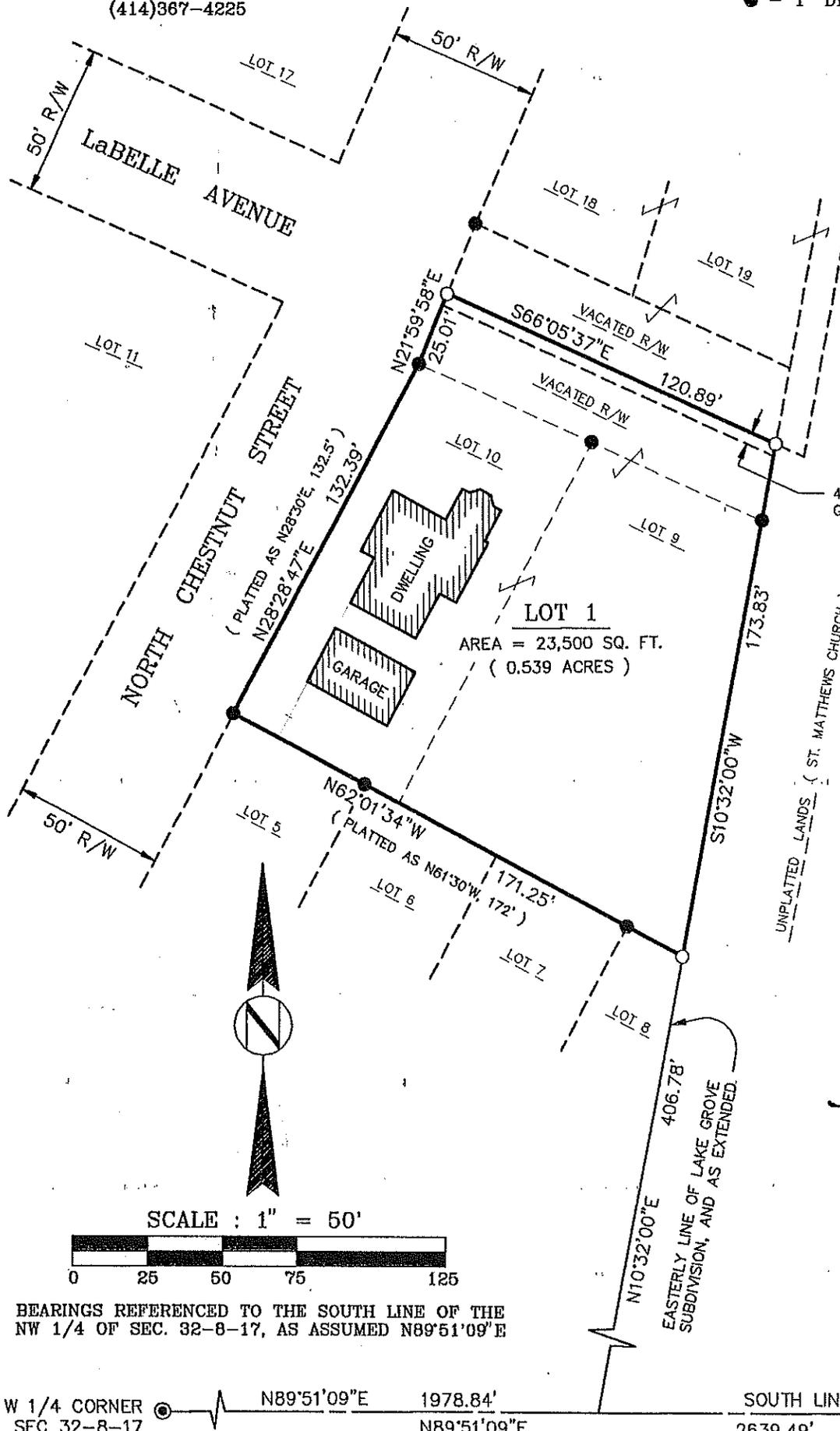
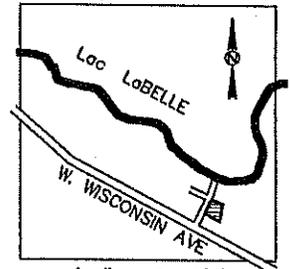


MARK A. POWERS, SLS 1701
 WELCH, HANSON & ASSOC., INC.
 W.219 E. WISCONSIN AVE.
 NASHOTAH, WI. 53058
 (414)367-4225

IVAN F. NOHAVICA
 AND
 HELGA M. NOHAVICA

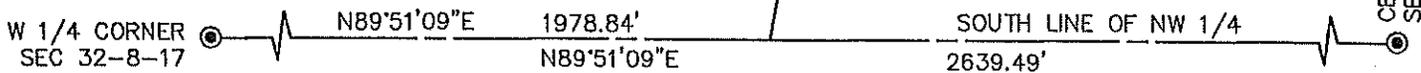
- - 1" DIA. IRON PIPE SET, 24" LONG, WT. = 1.13 LBS/LIN. FT.
- - 1" DIA. IRON PIPE FOUND

LOCATION SKETCH
 NW 1/4, 32-8-17



Mark A. Powers
 June 28, 1994

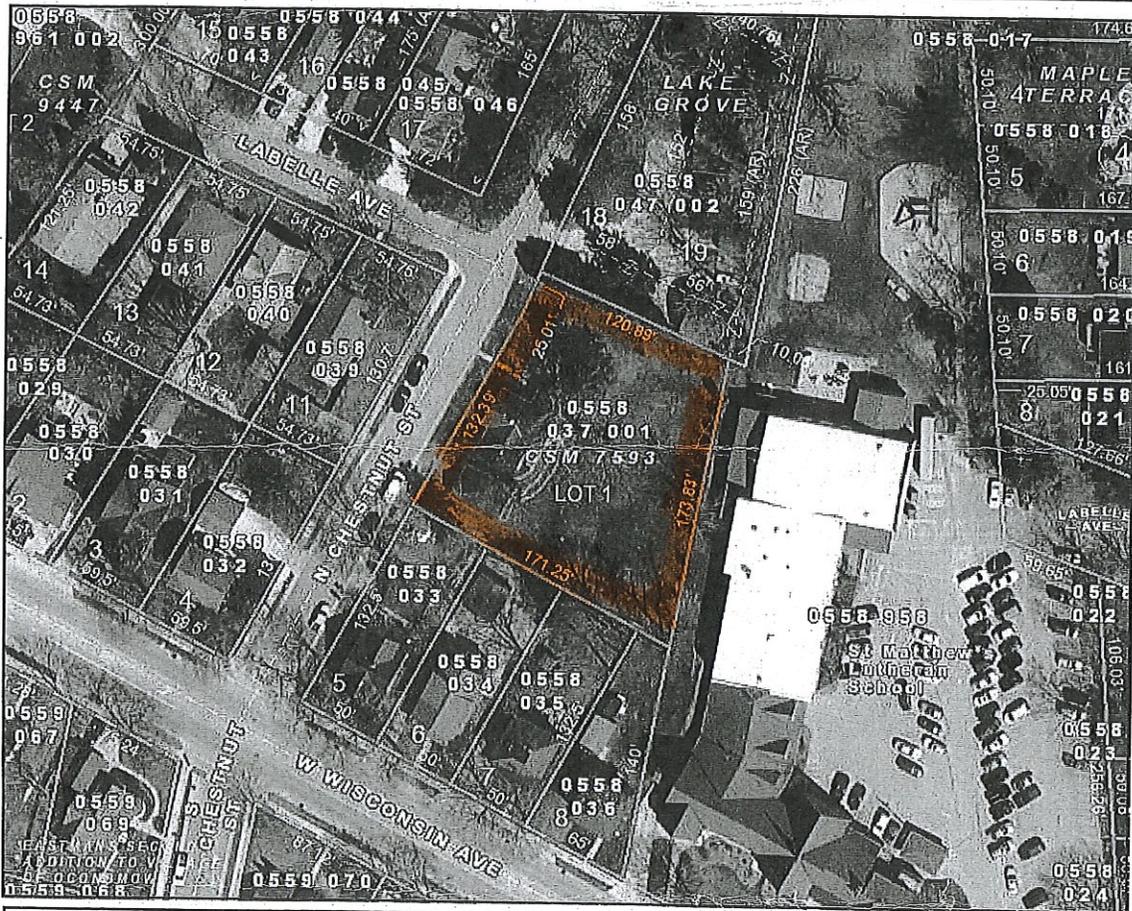
BEARINGS REFERENCED TO THE SOUTH LINE OF THE NW 1/4 OF SEC. 32-8-17, AS ASSUMED N89°51'09"E





LAND INFORMATION SYSTEMS DIVISION

Waukesha County GIS Map



Legend

Simultaneous Conveyance

- Assessor Plat
- CSM
- Condo Plat
- Subdivision Plat

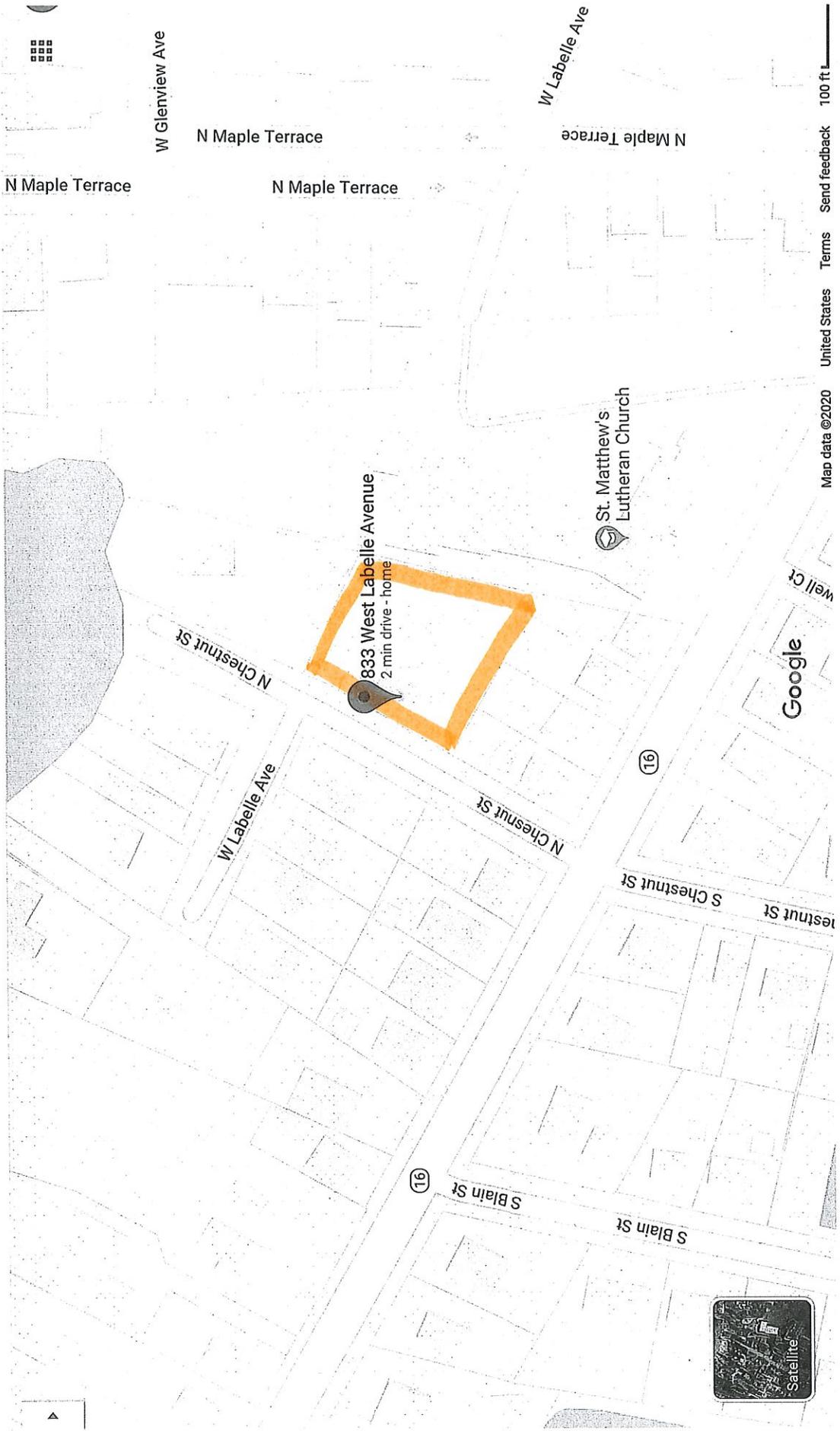
0 83.33 Feet

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

Notes:

Printed: 3/6/2017





W Glenview Ave

N Maple Terrace

W Labelle Ave

N Maple Terrace

N Maple Terrace

N Maple Terrace

St. Matthew's
Lutheran Church

833 West Labelle Avenue

2 min drive - home

N Chestnut St

W Labelle Ave

N Chestnut St

16

Google

S Chestnut St

restnut St

S Blain St

S Blain St

Satellite

Terms

United States

Map data ©2020

Send feedback

100 ft



T



Stonebank

Kettle

Kettle Moraine Scenic Dr

Che

Lakeland Dr

Techniplas

Nashotah



Lakeland Dr

Nashotah Pkwy

K

Norwegian Rd

N Sawyer Rd

16

Okauchee Lake

Nashotah Rd

Sawyer Rd

Brown St

Oconomowoc Lake

Oconomowoc Lake

E Lisbon Rd

Oconomowoc Golf Club

16

67

Family Tae Kwon Do Champions

Oconomowoc High School

Summit Ave

K

67

16

67

16

Valley Google Silver

Silver Lake Intermediate School

Concord Rd

Valley Rd

N Golden Lake

16

Ski Slide Rd

Ski Slide Rd

maps



traffic and nearby places

Application Questions

- 1) What exceptional/extraordinary circumstances/special factors or unique property limitations are present which apply only to the property? In what manner do the factors listed prohibit the development of the subject property?

Front Door: The current location of the front door does not meet the ordinance requirement of being prominent and oriented to the front side of the home. From the street you do not see a front door. A portion of LaBelle avenue has been removed thus eliminating the street from what was the front of the house (north side). Moving the door to the proposed location will make it street side again.

Master Suite Addition: The biggest limitation is the rear of the property not being an option for the master bedroom. The property has a significant drop off to a lower elevation and the large oak tree would have to be removed. If the bedroom were put in the rear, windows from the kitchen and/or dining room would have to be eliminated as well.

- 2) Would granting the proposed variance be a substantial detriment to the public interest?

Granting this variance would not be a substantial detriment to any public interest. Our plan was carefully thought out and designed to not approach any closer to the road than the home already has since built in 1941.

- 3) Would the granting of the proposed variance result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property, or other matters affecting the public health, safety or general welfare?

This is in keeping with the direction of our community. The recent additions to our downtown have, I feel, made all property owners want to upgrade our properties and homes.

We believe that this plan will maintain the character by keeping the brick siding and design of home facing the street. There will be minimal impact to our landscape and large oak tree with this design for the addition.

- 4) Have the factors which present the reason for the proposed variance been created by the act of the applicant or previous property owner or their agent?

The street was deemed not necessary for public travel and thus vacated in May of 1994. The land was granted to the previous owners as a pedestrian easement. Essentially making the front door of the home a side door.

- 5) Would compliance with the ordinance unreasonably prevent the owner from using the property for a permitted purpose or would conformity with the ordinance create an unnecessary burden on the property owner.

The home is already a residential home with two bedrooms. However our family has grown and we want to have a third bedroom.

Our current situation does not have a front entry that meets city ordinances, if the variance isn't approved it would prevent the home from having a front door facing the street. The plans create one while not moving any closer to the street than the home already is.

- 6) Has the requested variance or any other variances been granted or denied to the property in the past?

No, not to our knowledge.

#3 – Written description of the proposed variance.

The residential requirements state that the front of the principle structure must be 20 feet from the street. The principle structure (residence) was originally built with just 16 feet distance from the street. The variance requested is to allow for the principle structure (residence) to have an addition built on the north end of the home, while maintaining its current distance from the street of 16 feet. We are requesting a 4' variance to maintain the same setback of the home to the street.

#5 – Written justification for the requested variance consisting of the reasons why the applicant/property owner believes the proposed variance is appropriate.

We believe the approval of our plans are appropriate because it will orient our main entrance to the prominent street side of our home. In Section 17.203 of the City of Oconomowoc Zoning Ordinance, it states that main entrances must be prominent and oriented to the street in the front of the dwelling. With the addition, our home will have the "front" door in a more accessible location and improve the functionality of the front door. Currently, our main door faces the north, where LaBelle Avenue was deemed not necessary for public travel, thus removing the street on the north side of our home. The west side of the home is now street side (Chestnut street)

The second aspect of our project is the master bedroom/bathroom. The addition of the master bedroom/bathroom will not be encroaching any closer to Chestnut street than the home has since it was first built in 1941. The addition simply follows the line of the home to keep it consistent. We have exhausted every option as to where we could add a third bedroom to our home, and this would be the most economical and maintain the look of the home to fit with the other homes in our neighborhood. There is a prominent Burr Oak tree preventing an addition to the east side/rear of the home as well as preventing adding a second story to our home. The tree is estimated to be over 150 years old and is 13 feet in diameter.

#6 - Describe alternatives to your proposal such as other locations, designs and construction techniques. If you find such alternatives, please explain why you have rejected them.

Front Door: The door used most often in our home is actually the back door as it is closer to the garage and driveway. The current location of the front door is on the opposite side of the home with no sidewalk that leads from our driveway to it. With the proposed plan, the garage, driveway and front door would all be in a convenient, street facing, location, improving the look and flow of the home.

Eliminating the door completely would eliminate any aspect of a "Main Entrance" as required in Section 17.203 as the second door is in the rear of our home facing the back yard.

Moving the main door to another area of the home wouldn't allow for the main entrance into any open space of the home as it would lead into bedrooms.

Master Suite Addition: As mentioned above, the option of adding a master bedroom/bathroom suite on the second story was eliminated. The main reason being is we want this to be our forever home and maintaining a ranch style home is very important to us. Secondly, there would be very significant structural changes necessary for a second story to be added, which in turn has a large financial impact.

Adding on in the rear of our home would require cutting down a very large oak tree which is something we are not willing to do as it is historical and provides great property value and esthetics.

1968445

REGISTER'S OFFICE
WAUKESHA COUNTY, WIS } SS
RECORDED ON

91 MAY 31 PM 1:48

REEL 1939 IMAGE 0645

RESOLUTION

Richard W. Hartigan
REGISTER OF DEEDS

1968445

WHEREAS, the following portion of LaBelle Avenue is unimproved and is not deemed necessary for public travel, and public interest requires that said street be vacated and discontinued.

Legal Description

All that part of the Northwest 1/4 of Section 32, Town 8 North, Range 17 East, City of Oconomowoc, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of Lot 18 in "Lake Grove," a subdivision located in the aforesaid Northwest 1/4 of Section 32, Town 8 North, Range 17 East; thence Easterly, along the North line of LaBelle Avenue (unimproved), 116 feet to the Southeast corner of Lot 19 in said "Lake Grove" Subdivision; thence South 10° 32' West, 51.4 feet more or less to the Northeast corner of Lot 9 in said "Lake Grove" Subdivision; thence Westerly, 126 feet to the Northwest corner of Lot 10 in "Lake Grove" Subdivision; thence Northerly, 50 feet more or less to the place of beginning.

WHEREAS, §66.296, Wis. Stats., provides that as an alternative to a petition by owners of frontage on the portion to be discontinued and of the owners of the remainder, the Common Council may, by introduction of a resolution declaring that since the public interest requires it, the whole or any part of any . . . street . . . in the City . . . may be vacated and discontinued; and

WHEREAS, a hearing on the passage of any resolution initiated by the Common Council vacating and discontinuing a

Pedestrian Easement

At the public hearing and subsequent thereto, it has been agreed by the property owners adjacent to that portion of LaBelle Avenue to be vacated that they will grant to St. Matthew's Evangelical Lutheran Church an easement for pedestrian travel eight feet wide (four feet from each property).

NOW THEREFORE, BE IT HEREBY RESOLVED by the Common Council of the City of Oconomowoc that the aforementioned portion of LaBelle Avenue is not deemed necessary for public travel and the public interest requires the vacating and discontinuance of that portion of LaBelle Avenue, and no written objection to the proposed vacating and discontinuance has been filed with the City Clerk, the above described portion of LaBelle Avenue is hereby vacated and discontinued pursuant to §66.296, Wis. Stats., subject to a reservation for the City of Oconomowoc Utilities, Wisconsin Natural Gas Company, Wisconsin Bell and Crown Cable, and subject to the granting by the property owners of land adjacent to that portion of LaBelle Avenue being vacated, of a pedestrian easement to St. Matthew's Evangelical Lutheran Church:

Utility Easement

Reserving from the above-described property, the Northerly 30 feet for utility purposes.

Pedestrian Easement

Eight feet wide, including four feet north of the center line of that portion of LaBelle Avenue to be vacated and four feet south of the center line of that portion of LaBelle Avenue to be vacated, and extending from the east right-of-way line of Chestnut Street to the west lot line of St. Matthew's Evangelical Lutheran Church property, said easement to be memorialized by separate document to be executed by the adjacent property owners subsequent to action by the Common Council on this resolution.

1968446

REGISTER'S OFFICE }
WAUKESHA COUNTY, WIS } SS
RECORDED CH

94 MAY 31 PM 1:48

REEL 1939 PAGE 0649
REEL IMAGE

Michael J. Hurlinger
REGISTER OF DEEDS
1968446

PEDESTRIAN EASEMENT

THIS PEDESTRIAN EASEMENT is entered into this 21ST day of MAY, 1994, by and between RICHARD C. BECHTEL and DARLENE D. SALSURY, hereinafter ("Bechtel") and IVAN F. NOHAVICA and HELGA M. NOHAVICA, hereinafter ("Nohavica"), all of which are sometimes collectively referred to herein as Grantors, and ST. MATTHEW'S EV. LUTHERAN CHURCH, hereinafter ("St. Matthew's"), Grantee.

P18

FEE
#77.25(13)
EXEMPT

Recitals

WHEREAS, the City of Oconomowoc has vacated LaBelle Avenue between the east right-of-way line of Chesnut Street and the west boundary of St. Matthew's Property, hereafter the ("vacated street"), and

WHEREAS, Bechtel is the owner of the following described real property, the south boundary of which abuts the vacated portion of LaBelle Avenue, hereafter the ("Bechtel Property").

Parcel I

Lots Eighteen (18) and Nineteen (19) in Lake Grove, a Subdivision of part of the Northwest One-quarter (1/4) of Section Thirty-two (32), Township Eight (8) North, Range Seventeen (17) East, in the City of Oconomowoc, Waukesha County, Wisconsin.

All that part of the NW 1/4 of Section 32, Township 8 North, Range 17 East, in the City of Oconomowoc, Waukesha County, Wisconsin, described as follows: Commencing at the SE corner of Lake Grove Subdivision; thence North 10 degrees 37 minutes East, along the east line of said subdivision, 314.91 feet to the centerline of LaBelle Avenue (unimproved); thence South 68 degrees 58 minutes E, along the said centerline, 10.18 feet; thence North 10 degrees 37 minutes E, 232.28 feet measured, 243.28 feet recorded, to the shoreline of Lac LaBelle; thence along a meander line, S 85 degrees 57 minutes East, 85.36 feet recorded, 87.166 feet, North 87 degrees 12 minutes 41 seconds East, measured, to the west line of Maple Terrace Subdivision; thence South 04 degrees 15 minutes 30 seconds East, 299.78 feet to the centerline of LaBelle Avenue; thence South 68 degrees 20 minutes 30 seconds East, along the centerline of said street, 60.00 feet; thence South 03 degrees 43 minutes 54 seconds East, along said west line of Maple Terrace Subdivision, 381.12 feet; thence North 61 degrees 30 minutes 00 seconds West 341.60 feet, 341.60 feet to the place of beginning.

Also that land lying between the following described line and Lac LaBelle: Commencing at the NE corner of the previously described parcel; thence North 1 degree 52 minutes 30 seconds West, 135.20 feet to the end of the described line.

Also Lot 5, Block 5, excepting the easterly 108 feet thereof, in Maple Terrace Subdivision, being a part of the West 1/2 of Section 32, Township 8 North, Range 17 East in the City of Oconomowoc, Waukesha County, State of Wisconsin.

Tax Key No. OCOC 558.958

WHEREAS, Bechtel and Nohavica have agreed to establish a permanent easement eight (8) feet wide over and across a part of the vacated street for pedestrian travel from Chesnut Street to the St. Matthew's Property,

NOW, THEREFORE, for the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged:

IN WITNESS WHEREOF, all of the Grantors have executed this Pedestrian Easement on the day and year first above written.

Richard C. Bechtel (SEAL)
Richard C. Bechtel

Darlene D. Salsbury (SEAL)
Darlene D. Salsbury

Ivan F. Nohavica (SEAL)
Ivan F. Nohavica

Helga M. Nohavica (SEAL)
Helga M. Nohavica

AUTHENTICATION

Signatures of Richard C. Bechtel and Darlene D. Salsbury authenticated this 21ST day of MAY, 1994.

William Chapman
William Chapman
TITLE: Member of State Bar of Wisconsin

AUTHENTICATION

Signatures of Ivan F. Nohavica and Helga M. Nohavica authenticated this 21ST day of MAY, 1994.

William Chapman
William Chapman
TITLE: Member of State Bar of Wisconsin

This instrument was drafted by and should be returned after recorded to:

Robert B. Peregrine
PEREGRINE LAW OFFICES, S.C.
633 West Wisconsin Avenue
Suite 1300
Milwaukee, Wisconsin 53203
Telephone: (414) 272-4833

Planning Department Staff Report

City of Oconomowoc

Zoning Board of Appeals –6/3/2020

Robert Jeffers Addition

Variance Request

Summary: The applicant submitted a variance application, that would allow an addition to the existing dwelling 1" (one-inch) from the side property line. Basically, a 7' variance is requested from the required 7' side setback.

Property Location: 515 Greenland Avenue, tax key number OCOC 0562.136

Property Owners: Robert & Linda Jeffers
515 Greenland Avenue
Oconomowoc, WI 53066

Applicant: Robert Jeffers

Existing Zoning: TR; Traditional Residential District
Existing Land Use: Single-Family residential use



General Location Map

Request:

The request is to construct an addition to the existing single-family dwelling located at 515 Greenland Avenue. Per the site survey, there is 22.1' (approximately 22 feet and 1 inch) from the existing house to the closest point from the side lot line. The 21' x 30' (630 SF) addition would leave 1" (one-inch) from the lot line, after the one-foot overhang is included. The property gets slightly wider towards the lake. There would be 2.8' setback of the proposed garage to the side lot line at the northwest corner of the proposed garage.

The addition would be primarily used as an attached garage. There would also be limited storage space and an enclosed back hall area containing a washer / dryer and closet space. This back hall area would serve as the secondary entrance into the dwelling.

Below are photos taken by City Staff in 2019, which shows the existing dwelling (upper left); north elevation (upper right); driveway looking toward Greenland Avenue (lower left) and Driveway looking toward Fowler Lake (bottom right). The proposed addition would be located on the right side of the home, where the vehicle is currently parked.



Existing Driveway & Attached Garage:

The property has an existing attached garage. It is not typical in several ways. First it is located on the rear side of the property. Being on the water, this creates a driveway with hard surface on the “lake side” of the property. Staff is not aware of any other properties on the lake that have a driveway on the “lakeside” of the dwelling. Second, the garage is not very deep. According to the application, the stalls are only 16’-17’ deep, making them inadequate for today’s vehicles. Per a site visit by staff, this dimension was confirmed. With the home being constructed in 1925, garage stalls were shorter than today’s standards. Due to the existing stall depth and the vehicle style he applicant drives, the existing garage does not work.



Lakeside Driveway
serving the attached
garage - 2019

Pavement removed
Fall of 2019

History:

The applicant has been working with the Planning Department for approximately one year on various options for this property. In September of 2019, the applicant was approved by the City Plan Commission to build a 1.5 car attached garage on the north side of the house and build a second 1.5 car detached garage on the south side of the house. This application required a second driveway from Greenland Avenue, which required Plan Commission review and approval. The meeting minutes are attached.

Building two garages was not the preferred alternative for the applicant. The household vehicles would be located in two separate garages, one attached and one detached. One driver would need to park and walk outside prior to accessing the dwelling. This option also required the front yard to be paved over with a second driveway for access to the new garage. Building the attached garage with the variance, would allow the applicant to maintain only the existing driveway. The pavement needed for the second driveway would have created aesthetic and drainage impacts.

After the Plan Commission approved the second driveway request in 2019, the applicant stated he still may go for a variance to allow the garage to encroach into the setback area. That reference is highlighted in the meeting minutes.

Why the change in plans?

Initially the applicant reached out to the adjacent property owner most impacted, who is located to the north. This owner was concerned with the request; and stated that he would speak out against the proposed encroachment. Since the Plan Commission approval, the parties have discussed the project and the impacts to the existing tree line. Included in the application packet is an email from the property owners of 507 Greenland Avenue who now support the application.

Type of Variance:

The applicant is requesting an area variance, not a use variance. An area variance is intended to provide an increment of relief (normally small) from a dimensional restriction such as building height, width, area, setback, etc. To grant a variance, the Board of Zoning Appeals must determine if the request meets each of the three (3) statutory variance criteria (standards/tests) as provided below.

1 Unique Physical Property Limitations Standard:

The first test/standard deals with uniqueness to the property that other nearby properties may not have. The UW-Extension defines unique property limitations as follows: "Steep slopes or wetlands must prevent compliance with the ordinance. The circumstances of an applicant, such as a growing family, elderly parents, or a desire for a larger garage, are not legitimate factors in deciding variances."

Planning staff finds the property contains unique physical property limitations. This dwelling built in 1925 contains an attached garage on the "lakeside" of the property. Staff is not aware of any other garages that use the lakeside for the garage access. In addition to the location of the garage entrance, the garage was constructed with a stall depth of 16' – 17' size. This is unique to have an attached garage with this reduced

stall depth. Based on today's standards the minimum garage depth is 20', being 4' longer than the existing garage.

2 **No Harm to Public Interests Standard:**

The UW-Extension defines no harm to public interest as follows: "A variance may not be granted which results in harm to public interests. Public interests can be determined from the general purposes of an ordinance as well as the purposes for a specific ordinance provision. Analyze short-term, long-term, and cumulative impacts of variance requests on the neighbors, community and statewide public interest."

Planning Staff finds the proposed variance does not harm the public interest. An email was submitted for the record from the property owners to the north. They are in support of the application.

In addition, the owner previously removed the pavement on the lakeside of the property. This pavement removal benefits all the lake owners. Erosion from nearby property washes down the driveway and out a drainage pipe directly to Fowler Lake. Staff understands the pavement is already removed, but this was a large benefit for the City and Planning Staff feels the owner should be recognized for his past efforts. The pavement removal was tied to getting a new garage relocated to the side of the existing house.



Erosion on the prior pavement driveway that drained directly to Fowler Lake

3 **Unnecessary Burden Standard:**

Planning Staff finds an unnecessary burden is placed on the applicant if the variance were denied. If the applicant was to build two 1.5 car garages, one driver would need to park in a detached structure and walk for some distance to get to either the front door or side door on the opposite side of the home.

This could be done by removing a considerable amount of existing landscaping. Here is a photo of the Hickory Tree, evergreen and foundation plantings that would be removed for the detached garage on the south side of the dwelling.



Alternatives:

When reviewing variances, the City Zoning Board of Appeals should look at all potential alternatives prior to acting on the variance.

The owners by Ordinance are allowed a building addition with a setback of 7' from the side property line. With 22.1', they would be allowed a 15.1' addition without a variance. Variances can be granted in full or in part, below are possible options:

1. Deny the request as submitted. Ask that the addition conform to the 7' setback.
2. Approve the request with no conditions. Allow to be built as submitted (21'x30').
3. Approve the request with conditions. Ask the addition be reduced in size or any other conditions the Board feels are appropriate.
4. Postpone the request to get more information.

Staff Reasoning / Recommendation:

Staff feels the application meeting the standards for granting a variance.

1. The property meets the uniqueness and physical limitations by having the existing garage on the lakeside and being built too small for today's vehicles.
2. There is no harm to the public interest since the adjacent owner is in agreement and the owner has removed pavement that benefits the water quality.
3. The owner would have a burden by building two garages, installing additional pavement, walking outside to get to and from the vehicle in the detached garage and having to remove existing landscaping.

Staff feels the proposed variance meets the **statutory** requirements for granting a variance. Planning staff recommends **approval** of the variance request, per Number 2 above – Approve with no conditions.

Submitted by: _____



Jason Gallo, AICP
City Planner/Zoning Administrator

City of Oconomowoc
Plan Commission Meeting Minutes - September 11, 2019

Chairman Nold called the meeting to order at 6:30 pm.

Members Present: Chairman David Nold, Commissioners Steve Ritt, Dean Frederick, Derek Zwart (6:31 pm), John Gross and Ken Brotheridge

Members Absent: Commissioner Bob Lex

Others Present: Sarah Kitsembel, Jason Gallo, Mark Frye and Chris Dehnert

2. Approve Minutes of August 14, 2019: Motion by Ritt to approve the August 14, 2019 minutes; second by Brotheridge. Motion carried 5-0.

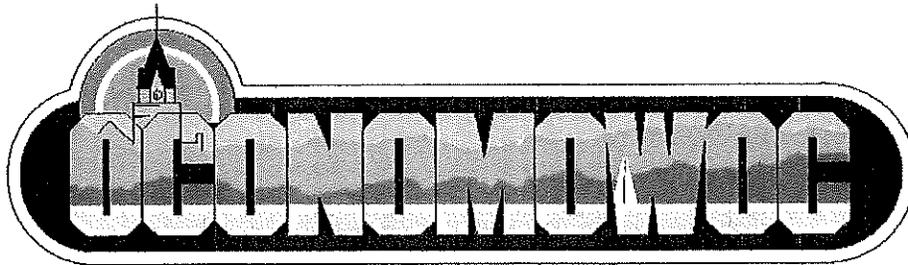
3a. Consider / approve the Major Design Review Plans for a Second Driveway at 515 Greenland Avenue: Gallo explained this request is for a second driveway on a property that currently has a driveway which goes from the front yard to a garage in the rear yard in the lower level of the house. The property is zoned Traditional Residential, and the current garage is only 16'-17' deep which is too short for today's larger vehicles so it's used only for storage. This has caused the applicant to have to park his vehicles outside. He would prefer to build a 2-car garage on the north side of his property but this location would require a variance, and his neighbor indicated he would speak against it. Gallo said the applicant is proposing to build an attached 1-1/2 car garage on the north end, which doesn't require a variance, and also a 1-1/2 car garage on the south side of the property with access by the second driveway. Gallo reviewed the 12 points listed in his staff report which the members should consider when coming to a decision on this request. Gallo believes the request meets the requirements necessary to approve the proposed driveway. With the added benefit of the applicant's intent to remove approximately 2,000 sf of existing concrete from the old driveway on the lakeside of the property and without having to get a variance for a new garage, Gallo believes this is the best option and recommends approval. Members comments included that the applicant seems intent on having a 2-car garage; preferred that he went through with a request for a variance; wish there was another alternative but agrees this is probably the best answer; questioned if the neighbor's opinion would have caused the Zoning Board of Appeals to deny his request for a variance; and will the new structures have the same architectural style as the house. The applicant, Bob Jeffers, said the neighbor to the south has no issue if he builds a garage parallel to their own; the neighbor to the north will not allow him to have a 2-car garage on his side of the property; and he figured he would build a 1-1/2 car garage on both sides which will meet requirements without causing an issue for the neighbor which he is trying to avoid. A member inquired if he still intends to remove the concrete driveway in the rear yard, and Jeffers said it has already been removed and the ground has been re-graded. He plans to build the new garages in similar materials and style to the existing home. Motion by Ritt to approve the request for a second driveway at 515 Greenland Avenue; second by Gross. Motion carried 6-0. Jeffers said after all the discussion he may decide to go for a variance for the proposed garage to be in the front yard.

3b. Consider / recommend the Extraterritorial Certified Survey Map for the Creation of One Outlet at W583 Allen Road, Town of Concord: Gallo reported this request is for approval of a CSM to divide off 5 acres from an existing 17.73 acre parcel located in the Town of Concord. The property is 1.25 miles from the City's closest boundary, and the CSM will create an unbuildable outlot which the owner intends to transfer to her neighbor. Gallo noted the CSM includes a note indicating the outlot has no approved road access and is partially in the floodplain with wetlands on it. No technical review was done, and Gallo recommends approval. Motion by Ritt to recommend approval to the Council the Extraterritorial Certified Survey Map at W583 Allen Road, Town of Concord; second by Brotheridge. Motion carried 6-0.

4. Planning Department Correspondence – August: Gallo reported in the month of August the Planning Department approved 2 temporary use permits, sent 6 letters for various issues, and received 2 requests for occupancy of a new business and 2 for existing businesses that moved to different locations.

5. Adjourn: Motion by Brotheridge to adjourn at 6:58 pm; second by Ritt. Motion carried 6-0.

Chris Dehnert, Deputy City Clerk



March 31, 2020

Mr. Robert Jeffers
515 Greenland Avenue
Oconomowoc, WI 53066

RE: Building Permit Application, Home and Garage Addition, 515 Greenland Avenue

The City of Oconomowoc received your building application submitted on March 26, 2020, to construct an attached two-car garage and utility room addition to the existing dwelling at 515 Greenland Avenue. The permit application for the addition to the dwelling is hereby **denied**; as the addition would encroach within the side yard setback of the property.

The subject property is zoned TR - Traditional Residential District. Per the City Zoning Ordinance Section 17.202, the side yard setback in the TR District for the principal structure is a minimum of 7' measured from the property line along any side yard property line.

Per the drawing you provided, you identify that the garage addition will be constructed 22' in width toward the side lot line. Per the submitted survey prepared by Liberty Land Surveying, the closest the existing dwelling is to the side lot line is 22.1'. The foundation is being proposed approximately 1" from the side lot line. It also appears there is a proposed overhang that exceeds 1", that would hang over the neighboring property line. At this time, I encourage you to change the plans to reflect the required 7' side yard setback. You would need to reapply with a new map identifying the revised building addition location.

Another available alternative is to apply for a variance, as this requested encroachment would be considered a dimensional variance (7' encroachment). Please be aware that granting variances to allow structures within the required setback area may be challenging for the City. Certain findings must be made in order for the Zoning Board of Appeals to grant. The applicant is to include reasons why the setback encroachment variance shall be granted. Applications to apply for a variance are available on the City's Planning webpage.

If you have any questions or concerns, please feel free to contact the Planning Department at (262) 569-2166.

Sincerely,
City of Oconomowoc

Jason Gallo, AICP
City Planner / Zoning Administrator

Cc: City Administrator
Building Inspection
Property File

Variance Application

City of Oconomowoc Zoning Board of Adjustment/Appeals

Date filed: 4/13/20

\$425.00 fee

| | Owner | Applicant |
|---------|----------------------|-----------|
| Name | Robert Jeffers | Same |
| Address | 515 Greenland Ave | |
| Phone | 262 719-4693 | |
| E-mail | Bjeffers@Charter.net | |

Please provide fifteen (15) copies of the following information:

1. A scaled map of the existing subject property showing all lands for which the variance is proposed, and all other lands within 200 feet of the boundaries of the subject property. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided;
2. A map of the generalized location of the subject property in relation to the City as a whole;
3. A written description of the proposed variance; (e.g. encroachment of 3' into a side yard setback)
4. A site plan of the subject property as proposed for development;
5. Written justification for the requested variance consisting of the reasons why the applicant/property owner believes the proposed variance is appropriate;
6. Describe alternatives to your proposal such as other locations, designs, and construction techniques. If you find such alternatives, please explain why you have rejected them;

Please answer the following questions (Fifteen (15) copies on separate paper):

1. What exceptional/extraordinary circumstances, special factors or unique property limitations are present which apply only to the property? In what manner do the factors listed prohibit the development of the subject property?
2. Would granting the proposed variance be a substantial detriment to the public interest?
3. Would the granting of the proposed variance result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property, or other matters affecting the public health, safety, or general welfare?
4. Have the factors which present the reason for the proposed variance been created by the act of the applicant or previous property owner or their agent?
5. Would compliance with the ordinance unreasonably prevent the owner from using the property for a permitted purpose or would conformity with the ordinance create an unnecessary burden on the property owner?
6. Has the requested variance or any other variances been granted or denied to the property in the past?

I certify that the information I have provided in this application and attached documents are true and accurate.

Property Owner Signature: _____

Date: 4/13/20

Applicant Signature: _____

Same

Date: _____

174 E. Wisconsin Avenue · P. O. Box 27 · Oconomowoc, Wisconsin 53066
262-569-2166 · www.oconomowoc-wi.gov



515 Greenland Avenue

Jeffers Residence

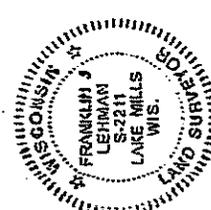
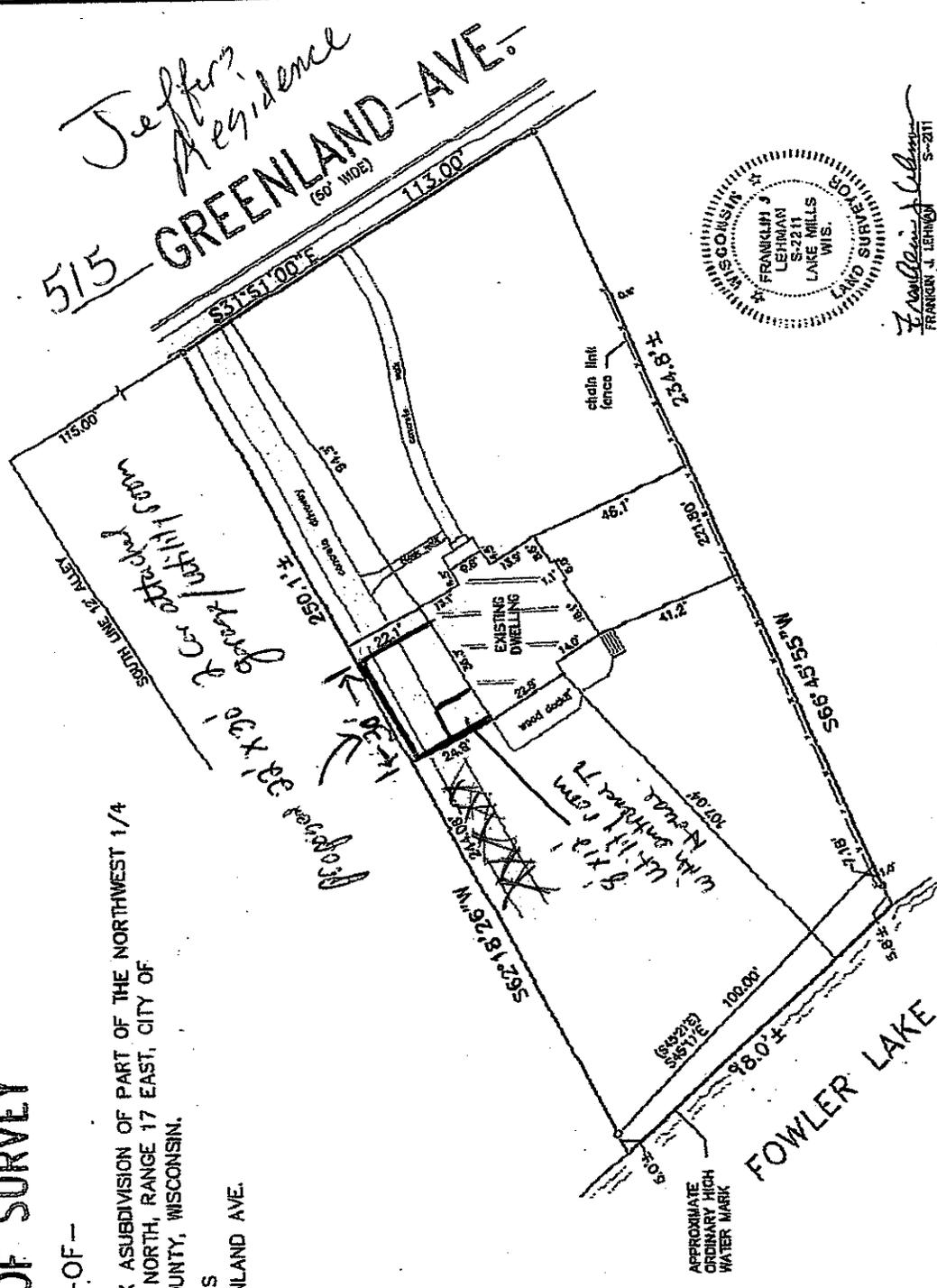
PLAT OF SURVEY

-OF-

LOT 5 OF GREENLAND PARK ASUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 8 NORTH, RANGE 17 EAST, CITY OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN.

SURVEY FOR: ROBERT JEFFERS

SURVEY ADDRESS: 515 GREENLAND AVE.



Franklyn J. Lehman
 FRANKLYN J. LEHMAN S-211
 REC'D: 7/8/85
 JULY 2, 2010 DATE
 180607 JOB NUMBER

- LEGEND
- FOUND 1" dia IRON ROD
 - SET 25 dia IRON ROD
 - () RECORDED AS

SCALE: 1" = 30'



I hereby certify that I have surveyed the above described property and that this above map is a correct representation thereof and shows the size and location of the surveyed land and all other things shown thereon. I warrant that the lines, bearings, distances, and other data shown on this map are true and correct. I warrant that the lines, bearings, distances, and other data shown on this map are true and correct. I warrant that the lines, bearings, distances, and other data shown on this map are true and correct.

LIBERTY LAND SURVEYING
 PO BOX 202
 LAKE MILLS, WI 53551
 (262) 767-8785 CELL (262) 801-5115

Info requested on Jeffers Variance Application:

Proposed variance:

Encroachment of 6'11" into the side-yard 7' setback

Reason for variance request:

Jeffers purchased the subject property in April 2019. The property had an existing two car garage under the house on the lakeside of the house. The stalls were only 17' deep making them inadequate for today's vehicles. (Home was built in 1925). Access to the garage was the existing driveway on the north side of the lot leading to the rear, (lakeside) yard, with approximately 2,000 square feet of concrete to park cars, enter and back out of the garage and turn around. Jeffers felt that the garage was inadequate and that all of the concrete that created runoff into Fowler Lake was a detriment to the health of the lake. In September of 2019 Jeffers abandoned the garage by walling it up, had all the concrete in the lakeside yard removed, filled in the yard and planted grass subject to the building permit he was granted by the City of Oconomowoc. Jeffers, now without a garage, is parking two cars and a utility trailer outside on the driveway 12 months per year creating an eyesore for the neighbors and results in Jeffers having to scrape and clean off both cars in our harsh winters. Jeffers is requesting a variance to build a two car attached garage on the north side of the lot utilizing the current driveway. The west end of the garage will have a utility/mudroom with an entrance leading into the kitchen of the home.

The adjoining house to the north of Jeffers at 507 Greenland is 50+ feet from the Jeffers house and the owner is in support of the variance being granted per the enclosed email letter dated 12/24/19.

Alternatives locations for the garage not needing a variance:

South side of the home attached or unattached (neither requiring a variance).

Both of these options would require a new, second driveway, relocating underground electric and gas lines and the removal of two or three beautiful 80-100 year old Hickory trees and a lovely perennial garden. The unattached garage would be three feet off the south lot line and would be only six feet from the south side neighbor's home blocking much of their northerly view and sunlight into their home. The attached option on the south side of home would block all sunlight coming into Jeffers living and dining room. Neither of these alternatives are on the kitchen side of the house making them less desirable.

Jeffers could also build a one car attached garage on the north side where he is seeking a variance for a two car attached allowing him to drive past the one car garage into the lake yard where he would build a second garage (unattached). I feel this would be quite unsightly and would block a significant amount of lake view from my adjoining neighbor to the north but if unable to obtain a variance is the second most likely to be built based on its proximity to the kitchen.

For all the reasons listed above, I have rejected these alternatives and have elected to pursue a variance which I feel is the best solution for all involved. If granted, I would be very appreciative of being granted the variance.

Answers to the questions on the Variance Application:

1. No, none.
2. No.
3. No.
4. Applicant and previous owner.
5. No.
6. None that I am aware of.



Bob Jeffers <bobjeffers54@gmail.com>

Re: Attached 2 car garage

3 messages

michael shea <michaelanthony Shea@me.com>
To: bjeffers@charter.net
Cc: Kelly.Tweeden@nike.com

Tue, Dec 24, 2019 at 6:00 PM

Hello Bob:

Kelly Tweeden and I acknowledge and approve the plan outlined below regarding the new garage, at the referenced 22' width. We also approve the design intent as well as the tree replacement on the 507 Greenland Ave property. We agree that aesthetically this is the best option for a new garage plan, and hope a variance will be granted.

Kind regards,

Michael Shea
Kelly Tweeden
Property Owners
507 Greenland Avenue
Oconomowoc, WI 53066

Sent from my iPhone

> On Dec 23, 2019, at 3:33 PM, bjeffers@charter.net wrote:
>
> Dear Mike and Kelly,
>
> Thank you so much for deciding to support our variance relative to side yard set back requirements for are property located at: 515 Greenland Ave. Oconomowoc.
> If approved by the City, We will build a 22' wide garage that will be architecturally in keeping with our home and the surrounding neighborhood.
> We will also plant mature trees of your choosing, under your direction, on your property abutting the new garage as necessary to replace the current cedars. These trees will be similar in size to the birch just outside the NE corner of your house.
> Please reply, acknowledging your agreement with the above at your earliest convenience so that I may meet with the City Planner and give him a copy of this email in advance of applying for the variance to get a feel for the probability of the variance being granted.
>
> Thanks again for your support and have a wonderful Christmas and visit with your family!
>
> Bob and Linda Jeffers
> 262 719-4693

bob Jeffers <bobjeffers54@gmail.com>
Reply-To: bjeffers@charter.net
To: michael shea <michaelanthony Shea@me.com>

Tue, Dec 24, 2019 at 8:59 PM

Thanks again Mike and Kelly!
[Quoted text hidden]

michael shea <michaelanthony Shea@me.com>
To: bjeffers@charter.net

Thu, Dec 26, 2019 at 1:15 PM

All good. I'm sure you guys will do a great job of aesthetically seaming in the addition to the design of the home.

Happy New Year!!

Planning Department Staff Report

City of Oconomowoc

Dean Fredrick Garage

Zoning Board of Appeals –6/3/2020

Variance Request

Summary: The applicant submitted a variance application to re-construct a detached garage 1' from the side lot line of the property. A 2' variance is requested from the 3' required side yard setback.

Property Location: 622 E. Anne Street, tax key number OCOC 0564.042

Property Owner: Dean Frederick
622 E. Anne Street
Oconomowoc, WI 53066

Applicant: Same as Owner

Existing Zoning: TR; Traditional Residential District
Existing Land Use: single-family residential use



General Location Map

Request:

The request is to re-construct the existing detached garage at 622 E. Anne Street. The existing structure is considered legal non-conforming as it is located only 1' from the side property line. By Ordinance, this structure can only be reconstructed in accordance with the current City setback requirements, being 3' from the side lot line and 5' from the rear lot line. Below are photos taken by City Staff, which shows the existing building that is to be replaced. The building is currently in the required side yard setback, rear yard setback and is in poor condition.



History:

The owner has lived & owned the property since 1985. On May 7, 2020 the property owner applied for a building permit to raze the existing garage and rebuild a new, but slightly larger garage in in the same location. The existing garage is 10' x 18' (180 SF), and 1' from the side lot line. The new garage is requested at 16' x 20' (320 SF), also at 1' from the side property line, no closer to the lot line than the existing garage.

Planning Staff denied the building permit, since the plans showed the garages slightly longer length encroaching into the required side yard accessory building setback of 3'. A letter of denial was drafted and sent to the property owner on May 11, 2020. The denial letter was included in the packet.

Prior Zoning Ordinance:

In the prior zoning ordinance that was in effect from 1993 to 2012, there was language that helped the reconstruction of legal, non-conforming garages. The prior Ordinance recognized that there were many aging non-conforming detached structures in the City. When the Ordinance went through a complete re-write, the language granting relief to non-conforming garages was removed. The prior Code allowed these structures to be rebuilt in the same location when there was no further encroachment into the setback areas. Staff considered a text amendment similar to the prior Ordinance, but in this case the applicant is requesting 2 additional feet in length into the setback area. A text amendment drafted with the prior language would not help this situation. If additional garage requests come before the Zoning Board in the future, staff recommends looking into a text amendment at that time.

Type of Variance:

The applicant is requesting an area variance, not a use variance. An area variance is intended to provide an increment of relief (normally small) from a dimensional restriction such as building height, width, area, setback, etc. To grant a variance, the Board of Zoning Appeals must determine if the request meets each of the three (3) statutory variance criteria (standards/tests) as provided below.

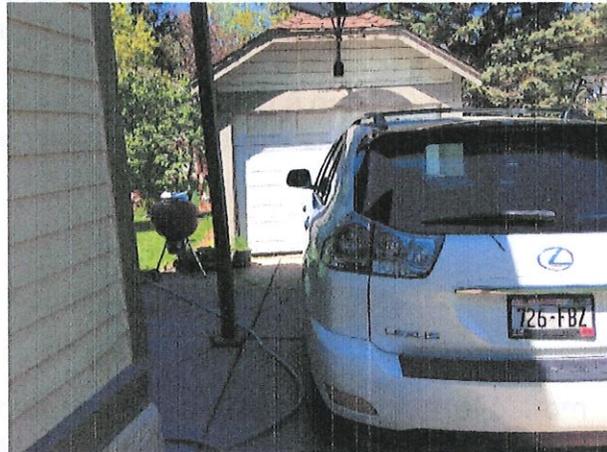
Public Input:

The Planning Department has not heard concerns from any resident regarding this application. The applicant has shared the plans with the neighbor impacted most from this request and is working on getting a letter of support.

1 Unique Physical Property Limitations Standard:

The first test/standard deals with uniqueness to the property that other nearby properties may not have. The UW-Extension defines unique property limitations as follows: "Steep slopes or wetlands must prevent compliance with the ordinance. The circumstances of an applicant, such as a growing family, elderly parents, or a desire for a larger garage, are not legitimate factors in deciding variances."

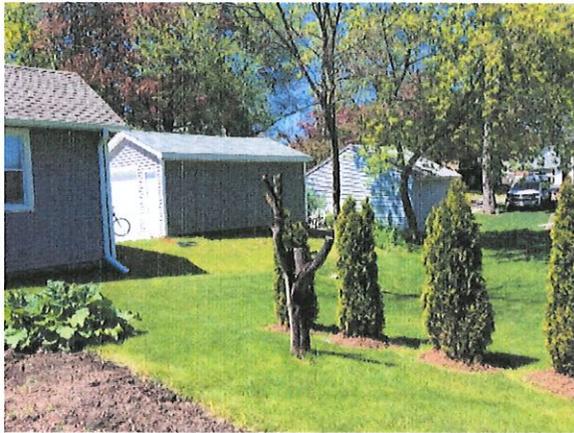
Planning staff finds the property contains unique physical property limitations. This property contains a support post on the house that cannot be moved. By moving the garage to the west (away from the lot line), the vehicle could not pull into the garage, without hitting the post. Due to the rear yard setback, the garage can not be backed up to allow for a greater swing distance. Exhibits provided show the measurements.



2 No Harm to Public Interests Standard:

The UW-Extension defines no harm to public interest as follows: "A variance may not be granted which results in harm to public interests. Public interests can be determined from the general purposes of an ordinance as well as the purposes for a specific ordinance provision. Analyze short-term, long-term, and cumulative impacts of variance requests on the neighbors, community and statewide public interest."

Planning Staff finds the proposed variance does not harm the public interest. Planning received no complaints from the neighbors. The garage has been existing in this location for nearly 100 years. The new garage will primarily be located in the same footprint as the existing. Neighbor in the area have larger garages, so this size structure should be a natural fit for the area.



Neighbors to the west & north



Neighbors directly north

3

Unnecessary Burden Standard:

Planning Staff finds an unnecessary burden is placed on the applicant if the variance were denied. The applicant is asking for a 1.5 car garage that he can actually park a vehicle in. Currently he cannot park vehicles in as it is too shallow of a depth. Staff feels all homes should at least be allowed to have a garage to park a vehicle. The request is not overly aggressive in size, being a mere 16' x 20' (320 SF) or a 1.5 car. With this size, the structure will have the depth needed to park a regular sized vehicle and allow storage space for typical items that should be kept in a garage, such as garbage cans and outdoor grills. Without the variance, the applicant will have no indoor space to park a vehicle.

Alternatives:

When reviewing variances, the City Zoning Board should look at all potential alternatives prior to acting on the variance.

The owners by today's code are allowed a detached garage with a setback of 5' from the rear property line. Variances can be granted in full or in part, below are possible options:

1. Deny the request as submitted.
2. Approve the request with no conditions.
3. Approve the request with conditions.
4. Postpone the request to get more information.

Staff Reasoning / Recommendation:

Staff feels the application for the side yard variance at 622 Anne Street meets the standards for granting a variance.

1. The property meets the uniqueness and physical limitations by having an existing house support beam and rear lot line prohibiting the moving the garage away from the side lot line.
2. There is no harm to the public interest since Planning has not heard any complaints and other neighboring owners have similar size detached garages.
3. The owner would have a burden without the variance since he can not build a new structure large enough on the lot to enclose a single car.

Staff Recommendation

Number 2 above – Approve with no conditions.

*The proposed variance meets the **statutory** requirements for granting a variance. Planning staff recommends **approval** of the variance request.*

Submitted by: _____



Jason Gallo, AICP
City Planner/Zoning Administrator

Variance Application

City of Oconomowoc Zoning Board of Adjustment/Appeals

Date filed: _____

\$425.00 fee

| | Owner | Applicant |
|---------|-------------------------------------------|-----------|
| Name | Dean A Frederick | Same |
| Address | 622 E Anne Street Oconomowoc, WI 53066 | Same |
| Phone | (262) 567-4976 | Same |
| E-mail | dfrederick@thomsoncompanies.com | Same |

Please provide fifteen (15) copies of the following information:

1. A scaled map of the existing subject property showing all lands for which the variance is proposed, and all other lands within 200 feet of the boundaries of the subject property. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided;
2. A map of the generalized location of the subject property in relation to the City as a whole;
3. A written description of the proposed variance; (e.g. encroachment of 3' into a side yard setback)
4. A site plan of the subject property as proposed for development;
5. Written justification for the requested variance consisting of the reasons why the applicant/property owner believes the proposed variance is appropriate;
6. Describe alternatives to your proposal such as other locations, designs, and construction techniques. If you find such alternatives, please explain why you have rejected them;

Please answer the following questions (Fifteen (15) copies on separate paper):

1. What exceptional/extraordinary circumstances, special factors or unique property limitations are present which apply only to the property? In what manner do the factors listed prohibit the development of the subject property?
2. Would granting the proposed variance be a substantial detriment to the public interest?
3. Would the granting of the proposed variance result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property, or other matters affecting the public health, safety, or general welfare?
4. Have the factors which present the reason for the proposed variance been created by the act of the applicant or previous property owner or their agent?
5. Would compliance with the ordinance unreasonably prevent the owner from using the property for a permitted purpose or would conformity with the ordinance create an unnecessary burden on the property owner?
6. Has the requested variance or any other variances been granted or denied to the property in the past?

I certify that the information I have provided in this application and attached documents are true and accurate.

Property Owner Signature: Dean A. Frederick Date: May 12, 2020

Applicant Signature: Dean A. Frederick Date: May 12, 2020

174 E. Wisconsin Avenue · P. O. Box 27 · Oconomowoc, Wisconsin 53066
262-569-2166 · www.oconomowoc-wi.gov

May 13, 2020

Mr. Jason Gallo
Zoning Administrator
City of Oconomowoc
174 E Wisconsin Avenue
Oconomowoc, WI 53066

RE: Application for Side Yard Variance
for Proposed Detached Garage Replacement
622 E Anne Street

Dear Mr. Gallo:

I am in receipt of your letter dated May 11, 2020 denying the Building Permit request to construct a replacement detached garage at 622 E Anne Street. Per your encouragement, I have investigated the reconstruction of the proposed garage in a legally conforming position within the setbacks as prescribed by the Zoning Code. Unfortunately, I have determined that constructing the garage in accordance with Zoning Code's setback requirements creates a conflict with an existing roof support post for the existing house and would preclude vehicular access to the proposed garage. As such, I am pursuing the alternative of applying for variance.

Briefly, I desire to replace my existing, deteriorating, garage which no longer can function as originally designed in the 1930's for the storage of motor vehicles with a garage that is functional for standard vehicles in 2020. No change in prior use is requested; however, I am requesting to retain the original function and serviceability of the original garage. The goal is to create a garage with adequate storage for a standard vehicle and ancillary items common to home ownership (i.e. garbage & recycling containers, lawn mowers, snow blowers, bicycles, etc.). To meet this goal and the original use for the garage, a 2' side yard variance is necessary to provide safe vehicular access to the proposed new detached garage. The proposed garage will be 16'x20' which will replace the existing 10'x17' accessory structure.

Enclosed is an application fee, a copy of the May 11, 2020 Building Permit Denial Letter, a Variance Application, a Variance Application Statement, a copy of a Plat of Survey for Lot 13 (622 E Anne Street) in Sorenson's Addition, a copy of the Final Plat for Sorenson's Addition with Lot 13 highlighted, a General Location Map, a Proposed 2' Side Yard Variance Exhibit, a Legally Conforming Garage Exhibit, Photo Exhibits, and a sample garage design typical for the proposed detached garage replacement.

I am respectfully requesting a hearing before the Zoning Board of Appeals at their next convened meeting to review this variance request.

Please review the attached information and let me know if it completes the requirements for variance application.

Sincerely,



Dean A Frederick
622 E Anne Street
Oconomowoc, WI 53066



May 11, 2020

Mr. Dean Frederick
622 E. Anne Street
Oconomowoc, WI 53066

RE: Building Permit Application, Detached Garage Replacement, 622 E. Anne Street

The City of Oconomowoc received your building permit application submitted on May 7, 2020, to replace the existing detached one-car garage with a new detached one-and-a-half car garage at 662 E. Anne Street. The permit application for the garage is hereby **denied**; as the proposed detached garage would encroach within the required side yard setbacks for detached accessory structures.

The subject property is zoned TR - Traditional Residential District. Per the City Zoning Ordinance Section 17.202, the side yard setback in the TR District for the accessory structure is a minimum of 3' measured from the property line along any side yard property line.

Per the drawing you provided, you identify that the garage will be constructed in the same location as the existing garage which is 1' from the side lot line. At this time, I encourage you to change the plans to reflect the required 3' side yard setback. You would need to reapply with a new map identifying the revised building addition location.

Another available alternative is to apply for a variance. This requested encroachment would be considered a dimensional variance (2' encroachment). Please be aware that granting variances to allow structures within the required setback area may be challenging for the City. Certain findings must be made in order for the Zoning Board of Appeals to grant. The applicant is to include reasons why the setback encroachment variance shall be granted. Applications to apply for a variance are available on the City's Planning webpage.

If you have any questions or concerns, please feel free to contact the Planning Department at (262) 569-2166.

Sincerely,
City of Oconomowoc

A handwritten signature in black ink, appearing to read "Jason Gallo", is written over the typed name and title.

Jason Gallo, AICP
City Planner / Zoning Administrator

Cc: City Administrator
Building Inspection
Property File

Variance Application Statement

622 E Anne Street

Proposed Variance: Request a 2' variance of the side yard setback for only the re-construction of a new detached garage accessory building. The present zoning district is TR – Traditional Residential which requires a side yard setback of 3' and rear yard setback of 5' for accessory buildings.

History: 622 E Anne Street was created by subdivision plat with the 1874 Final Plat of Sorenson's Addition to the Village of Oconomowoc as Lot 13 (see attached exhibit). The construction of the home dates back to the late 1880's and the construction of the existing garage in the 1930's. Subsequently, an Assessor's Plat created the parcels and lot boundaries that exist today. Both the existing home and the existing can be considered legal non-conforming structure with the home encroaching into the front setback and the existing garage encroaching into the side yard setback. I have been the owner of this parcel since 1985.

Validation for Variance: The requested 2' variance is necessary to replace the existing garage accessory building which is in disrepair and has limitations in it's function as a storage unit for modern day vehicles with a new re-constructed detached garage in essentially the same location. There are several factors which provide justification for the requested 2' variance as follows:

- The existing garage presently encroaches from 2.0' to 2.2' into the side yard setback and was originally constructed to be a functional accessory building for the storage of a motorized vehicle.
- The existing 10'x17' garage was built in the 1930's and has been referenced as a "Model T" garage. The dimensions of a Model T are generally 5.5'x11.2' which the existing garage could easily accommodate. The existing garage however can only store a standard modern-day vehicle if the vehicle is parked so as the front bumper is in contact with existing structural framework. By comparison to the Model T, my present 2004 vehicle is 6.7'x15.6'. My existing Tacoma pick-up truck will not fit inside the existing garage.
- The existing driveway is essentially located within a few inches of the common property line with the lot to the east. The existing home has a structural roof support post which presently narrows the driveway approach width to 8'. If the re-constructed garage were placed in a conformance of the Zoning Code minimum setback requirements, the driveway approach width at the support post would reduce to only 4.75' which is too narrow for a vehicle to enter the garage (see attached Legal Conforming Garage Exhibit).

Variance Application Statement

622 E Anne Street

- The existing garage cannot accommodate the simultaneous storage of a vehicle and other miscellaneous items typically stored in a detached accessory building, including, but not limited to, garbage & recycling containers, lawn mowers, snow blowers, lawn/garden/landscape utensils, bicycles, kayaks, and grills, etc.
- New home construction requires a minimum of a 2 car garage. Denial of this requested variance would deny the right for the use of a functional, serviceable, garage for this property that is an expectation and a requirement for new homes and a use which was approved with the construction of the existing garage.
- The requested variance would be similar to and consistent with the variance granted to 118 Woodland Lane in 2019.

Alternative Considers: The following alternative considerations were considered, and either could not be achieved or were deemed as unreasonable:

- Purchase of additional land from the two adjoining land owners to the east to create legally conforming condition: The owner of the parcel at 632 E Anne Street represented that the Mortgagee for the parcel could have concerns with the reduction of land and it's land value particularly given the unusual configuration of this lot and the existing legal non-conforming status of the home and parcel. Given the position of the owner of the parcel at 632 E Anne Street, discussion of the purchase of land from the owner at 619 E Grove Street was not pursued; however, the purchase of a small square of land would have also created a uncharacteristic shaped parcel in an old neighborhood with many uncharacteristic parcels.
- Amendment of the existing Zoning Code: Prior versions of the Zone Code addressed the replacement of legal non-conforming structure with language that is not included in the current Zoning Code. The prior language allowed for only the replacement of non-conforming structures with new structures of the same size. Replacement of the existing accessory garage with a new building of the same size would not address the non-functionality issue of the existing garage to store modern day vehicles. Additionally, it was suggested that there were likely not many more instances of similar cases that would benefit from a Zoning Code text amendment and that the Variance process was a better mechanism to address this request.

Variance Application Statement

622 E Anne Street

- Addition of a second accessory building: A second accessory building could be added by Zoning Code to address the outside storage issues; however, it would not address that the size of the existing garage is not functional or serviceable for its intended use as a garage for vehicle storage. High consideration was given to establishing a single accessory building that is functional for both vehicle storage as originally constructed and the inside storage of, but not limited to, garbage & recycling containers, lawn mowers, snow blowers, lawn/garden/landscape utensils, bicycles, kayaks, and grills.
- Reconstruction of the roof system of the existing home to remove the existing support post: Consideration was given to the reconstruction of the existing roof framing for the home to create a cantilevered roof framing system that would allow for the removal of the existing roof support post. Independent of the extensive cost for redesign and reconstruction, the removal of the existing post and placement of the proposed garage in a position in conformance of the Zoning Code would require vehicles to drive under the newly constructed roof and in close proximity to the building's field stone foundation walls to access the new garage. This consideration was considered unreasonable.

Other Considerations: Given the current Covid-19 crisis and the unknown certainty for the availability of construction crews and construction materials, should the Zoning Board of Appeals find in favor of the requested variance, I would respectfully ask that the approval include an expiration period of at least 18 months.

Requisite Variance Questions & Responses:

1. **What exceptional/extraordinary circumstances, special factors or unique property limitations are present which apply only to the property? In what manner do the factors listed prohibit the development of the subject property?**
The platting of lots in 1874 and the subsequent Assessor's Plat has created a neighborhood of unique non-typical lots. The existing structures on the lot are legal non-conforming with existing encroachments into the front yard setback and the side yard setback. The presence of a roof support post for the house limits the accessible driveway width to both the existing garage and the proposed garage. The limited depth of the lot prescribes that the garage accessory building, without encroaching into the rear yard setback, is in close proximity of the house at a distance of 9' for the existing garage or 7.5' for the proposed garage. Without a variance, accessibility to a garage would not be possible (See Legal Conforming garage Exhibit).

Variance Application Statement

622 E Anne Street

2. Would granting the proposed variance be a substantial detriment to the public interest?

No. The existing garage is in disrepair and in need of replacement to preserve the character of the neighborhood. The requested variance will allow the proposed garage to accommodate both vehicles and items currently being stored outside in a manner consistent with the other accessory buildings on neighboring lots (see submitted photos). The neighborhood is in support of the proposed accessory garage re-construction in the proposed location.

3. Would the granting of the proposed variance result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property, or other matters affecting the public health, safety, or general welfare?

No. Replacing the existing accessory garage that is in disrepair with a new structure in essentially the same location as the existing garage will enhance the character of the neighborhood. Impacts would be no greater than presently exist which are minimal.

4. Have the factors which present the reason for the proposed variance been created by the act of the applicant or previous property owner or their agent?

No. Lot platting standards established in 1874 and construction at the time of 1880's could not have predicted Zoning Code requirements of today or since the 1930's when the existing garage was built.

5. Would compliance with the ordinance unreasonably prevent the owner from using the property for a permitted purpose or would conformity with the ordinance create an unnecessary burden on the property owner?

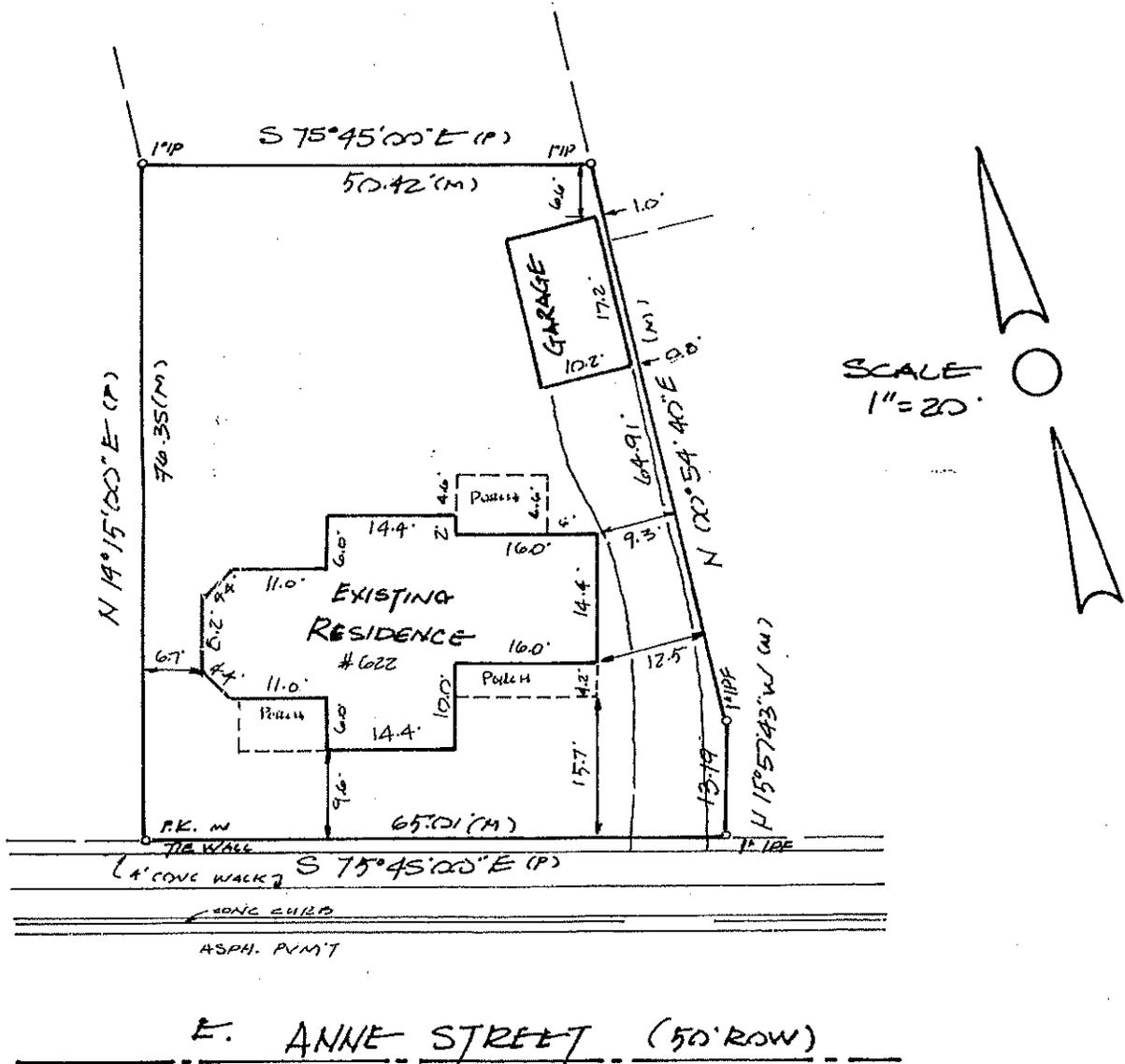
Yes. Compliance with the Zoning Code coupled with the constraints of the existing home and roof support post would create a condition in which vehicle accessibility to the accessory garage would not be viable or attainable (See the Legally Conforming Garage Exhibit). Given that the existing accessory building was built in the 1930's for the purpose of motor vehicle storage, it is reasonable and arguably an inherent expectation for the maintenance of an accessory building use for vehicle storage.

6. Has the requested variance or any other variances been granted or denied to the property in the past?

No, not during my 35 years of ownership or that I am aware of prior to 1985.

PLAT OF SURVEY

PROPERTY DESCRIPTION: Lot 13 in SORENSON'S ADDITION to the Village of Oconomowoc (now city), being a subdivison located in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, Town 8 North, Range 17 East, in the City of Oconomowoc, Waukesha County, Wisconsin.



Unofficial

(11)

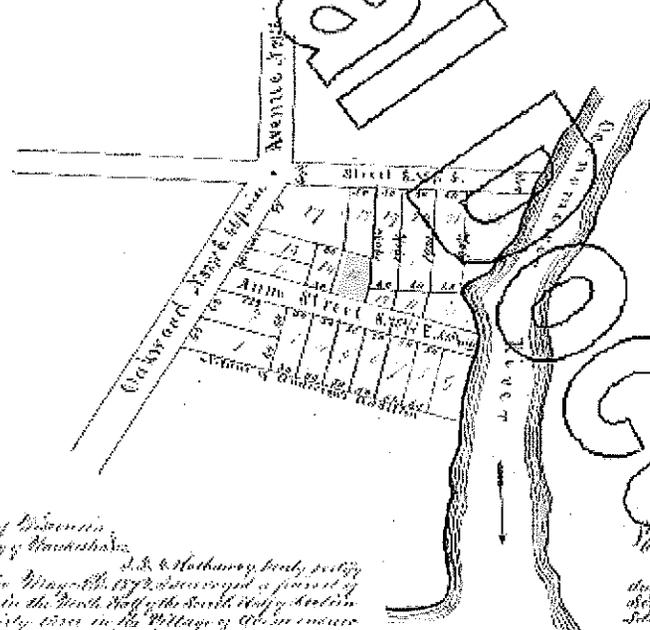
Sorensen's Addition

To The

Village of Ceconemecoo

Waukesha County,

Wisconsin.



References.

- Signify Block and lot dimensions
- of lots in full width of streets &c.
- Signify lot and block dimensions S. of lots.
- denote place of Measurements.

State of Wisconsin
 County of Waukesha
 I, S. C. Hathaway, County Clerk, certify
 that on May 25th 1872, I discovered a plat of
 land in the North Half of the South Half of Section
 Ten, Thirty three in the Village of Ceconemecoo
 in said County, said plat according to the other
 Plat for Waukesha County, and the same is a true
 representation of the facts therein shown.
 S. C. Hathaway
 County Clerk.

State of Wisconsin
 County of Waukesha
 I, S. C. Hathaway, County Clerk, do hereby certify
 that on the 25th day of May 1872, I discovered a plat
 of land in the North Half of the South Half of Section
 Ten, Thirty three in the Village of Ceconemecoo
 in said County, said plat according to the other
 Plat for Waukesha County, and the same is a true
 representation of the facts therein shown.
 S. C. Hathaway
 County Clerk.

Recorded January 19th 1874 at, H. C. Schmitt, Clk.
 J. C. Schmitt - Register of Deeds
 of John Schmitt, Deputy.

Document

- Municipal Boundary_2K
- Facility Sites_2K_Labels
- Lots_2K
- Culvert
- Simultaneous Conveyance_2K
- Assessor Flat
- Condominium
- Subdivision
- Cartoline_2K
- call other values*
- EA/Essement_Line
- PL/DA
- PL/Extended Title_Line
- PL/Meander_Line
- PL/Note
- PL/Title_Line
- Road Centerlines_2K
- Railroad_2K
- Tax Parcel_2K
- Waterbodies_2K_Labels
- Waterlines_2K_Labels

622 E Anne Street
General Location Map

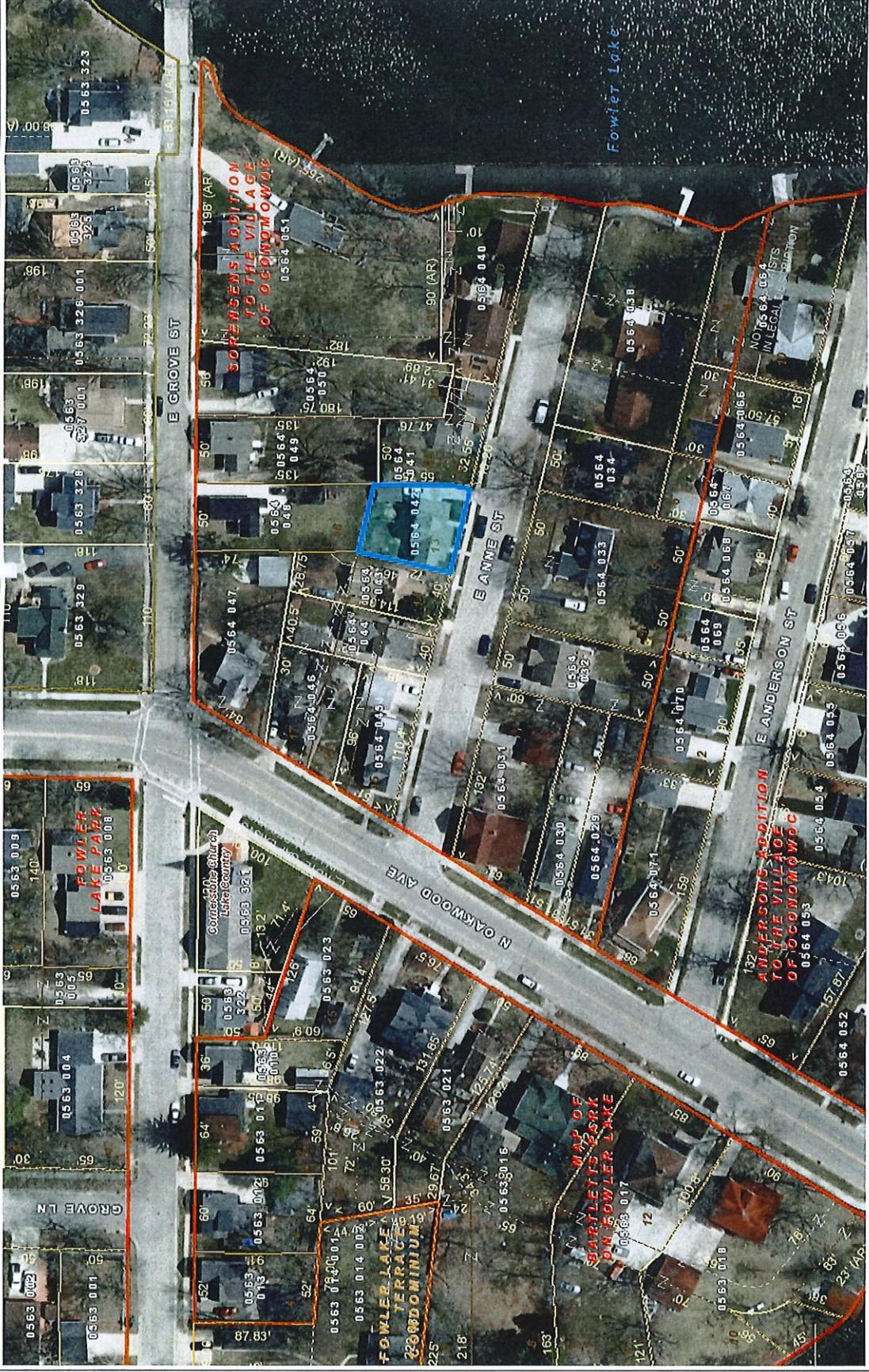


NOTES

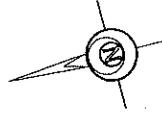
622 E Anne Street

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically administers and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, flood insurance studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

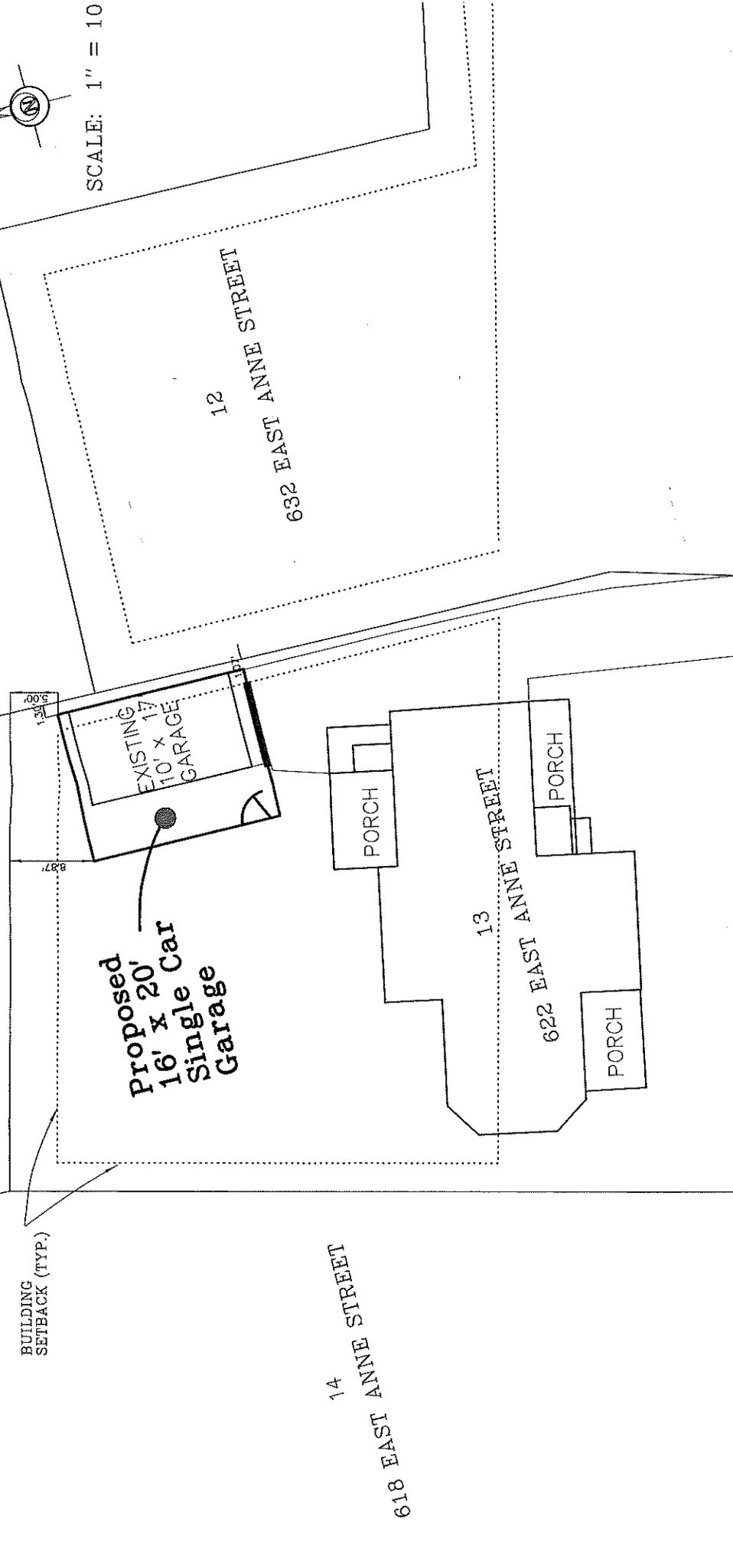
0 70.73 Feet



SORINSON'S ADDITION NO. 1



SCALE: 1" = 10'



622 E ANNE STREET

PROPOSED 2' SIDEYARD VARIANCE EXHIBIT

EAST ANNE STREET

SORENSEN'S ADDITION NO. 1



SCALE: 1" = 10'

Proposed
16' x 20'
Single Car
Garage

EXISTING
10' x 17'
GARAGE

12

632 EAST ANNE STREET

13

622 EAST ANNE STREET

PORCH

PORCH

PORCH

14

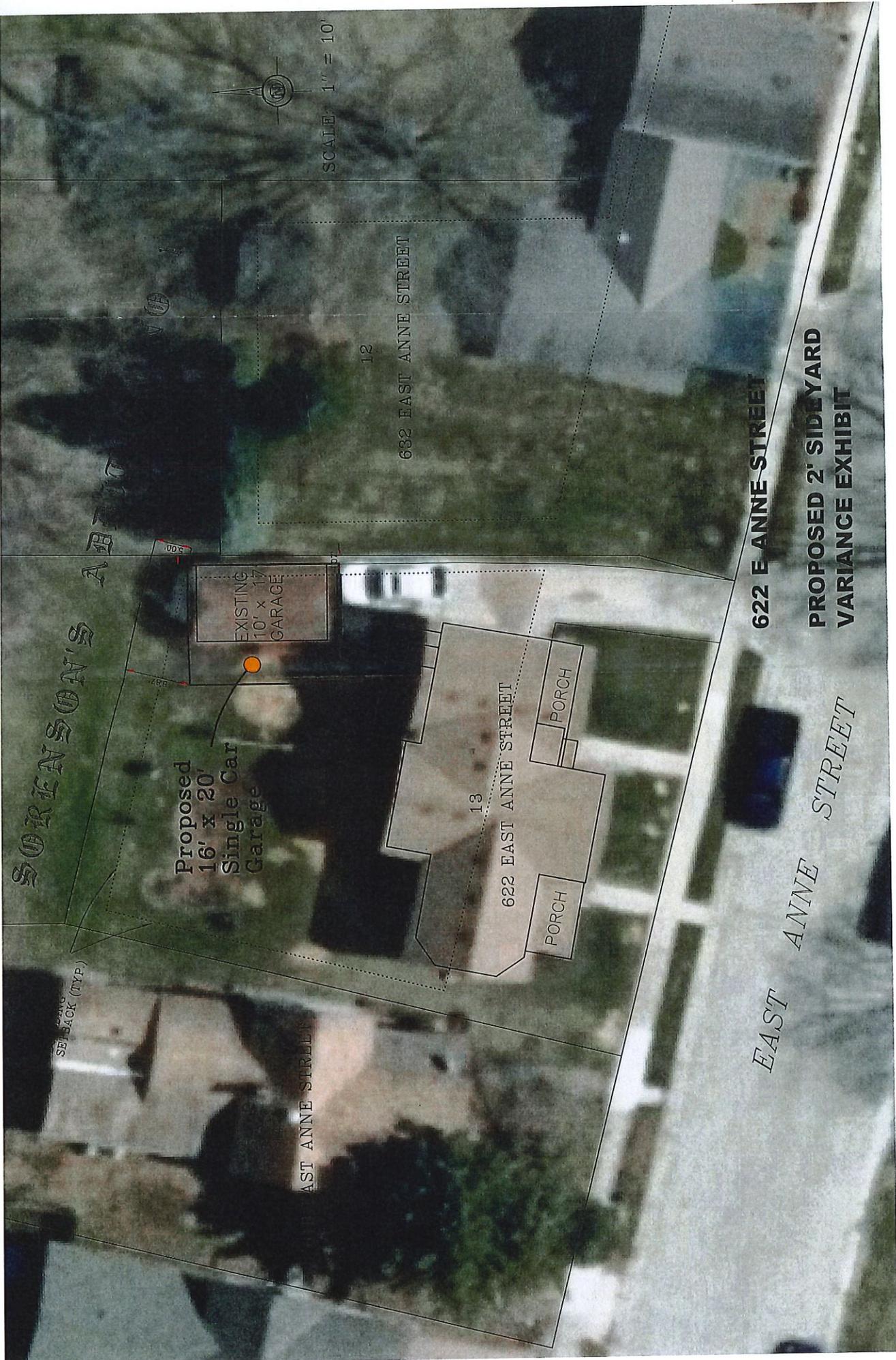
618 EAST ANNE STREET

EAST ANNE STREET

622 E ANNE STREET

PROPOSED 2' SIDEYARD
VARIANCE EXHIBIT

SETBACK (TYP.)



SORENSEN'S AVENUE

Proposed
16' x 20'
Single Car
Garage

EXISTING
10' x 17'
GARAGE

12
622 EAST ANNE STREET

13
622 EAST ANNE STREET

PORCH

PORCH

622 E ANNE STREET
PROPOSED 2' SIDELYARD
VARIANCE EXHIBIT

EAST ANNE STREET

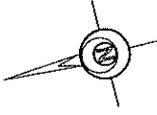
SEPTIC TANK
SETBACK (TYP.)

EAST ANNE STREET

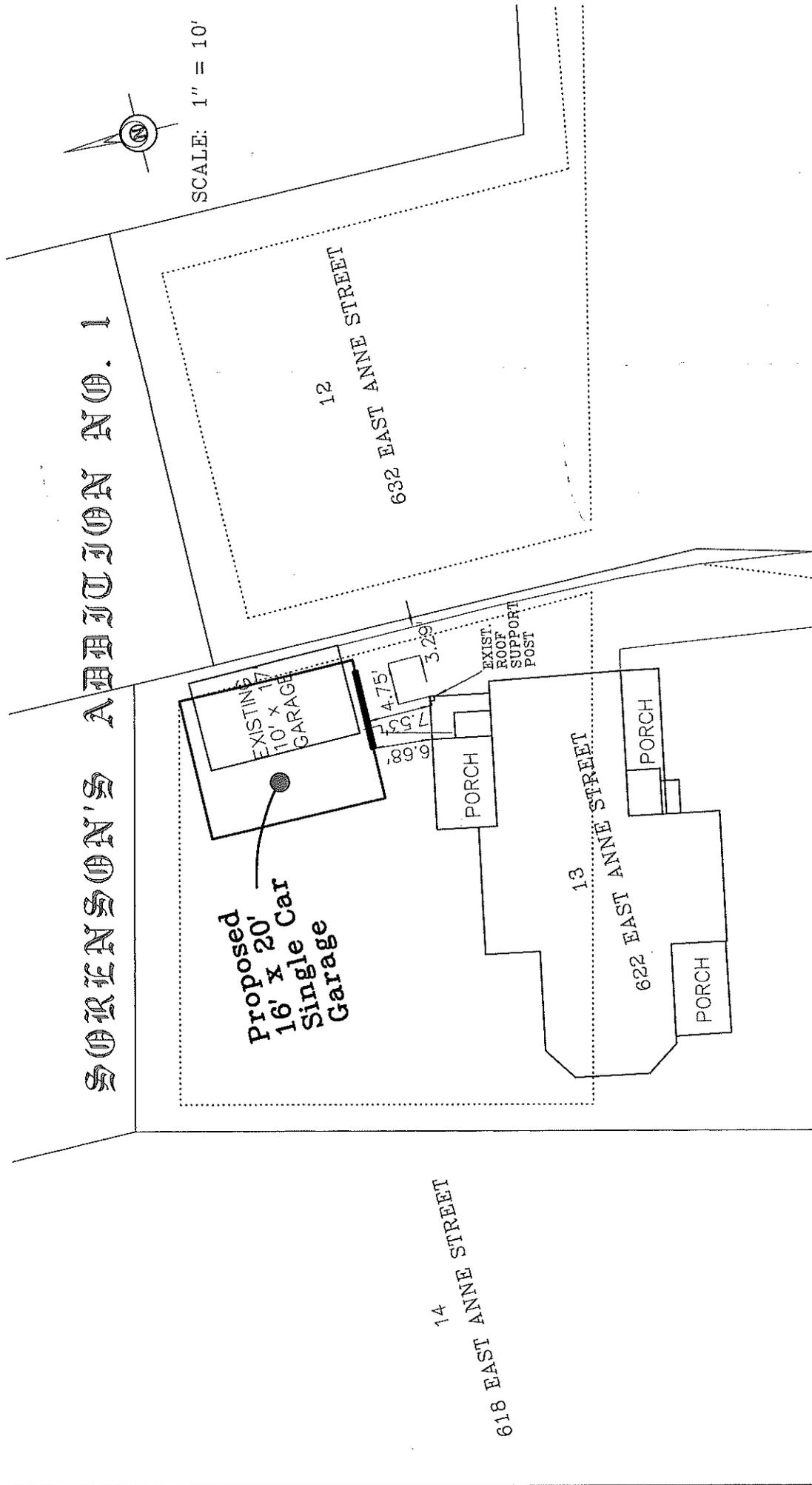


SCALE: 1" = 10'

SONENSON'S ADDITION NO. 1



SCALE: 1" = 10'



EAST ANNE STREET

622 E ANNE STREET

LEGALLY CONFORMING
GARAGE EXHIBIT

SORENSEN'S

ADDITION NO. 1

**Proposed
18' x 20'
Single Car
Garage**

EXISTING
10' x 17'
GARAGE

PORCH

13

622 EAST ANNE STREET

PORCH

PORCH

EXIST.
ROOF
SUPPORT
POST

5'

3.29'

14

618 EAST ANNE STREET

12

632 EAST ANNE STREET

EAST ANNE STREET

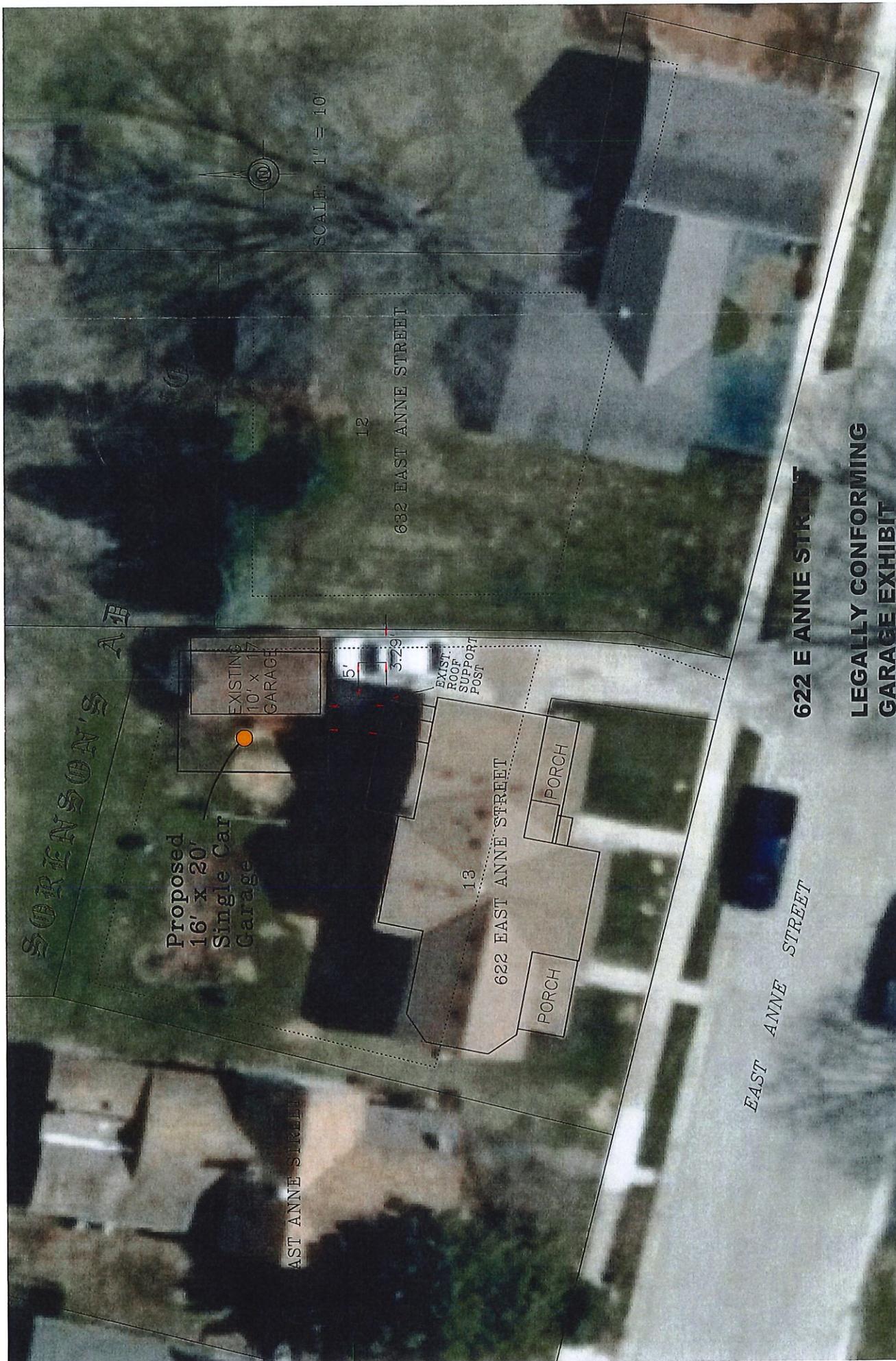
622 E ANNE STREET

LEGALLY CONFORMING



SCALE: 1" = 10'





SCALE: 1" = 10'



SORENSEN'S AVE

682 EAST ANNE STREET

Proposed
16' x 20'
Single Car
Garage

EXISTING
10' x 17'
GARAGE

5'

3'-2 1/2"

EXIST.
ROOF
SUPPORT
POST

13

622 EAST ANNE STREET

PORCH

PORCH

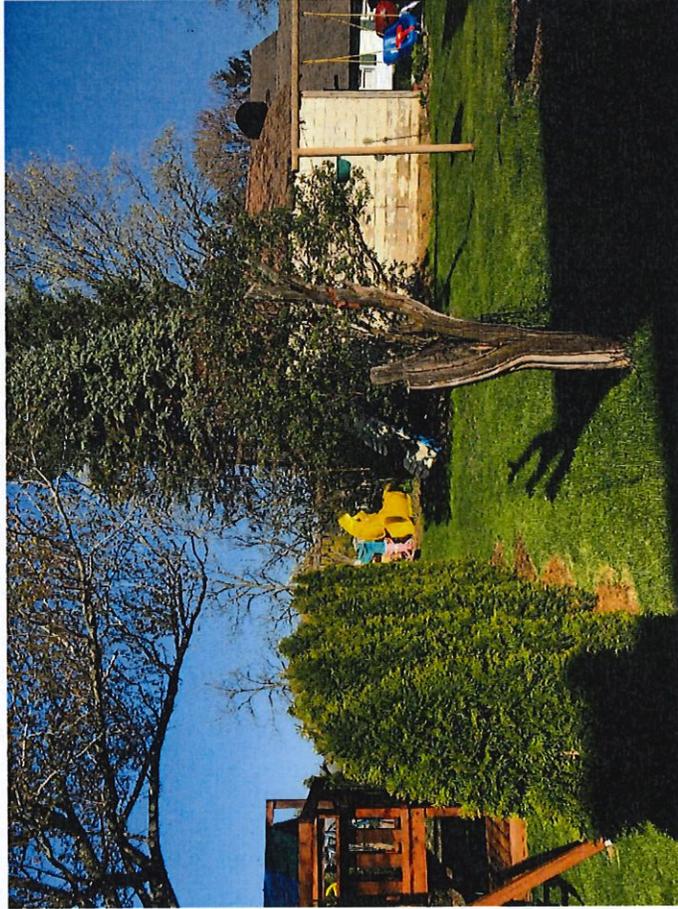
EAST ANNE STREET

622 E ANNE STREET

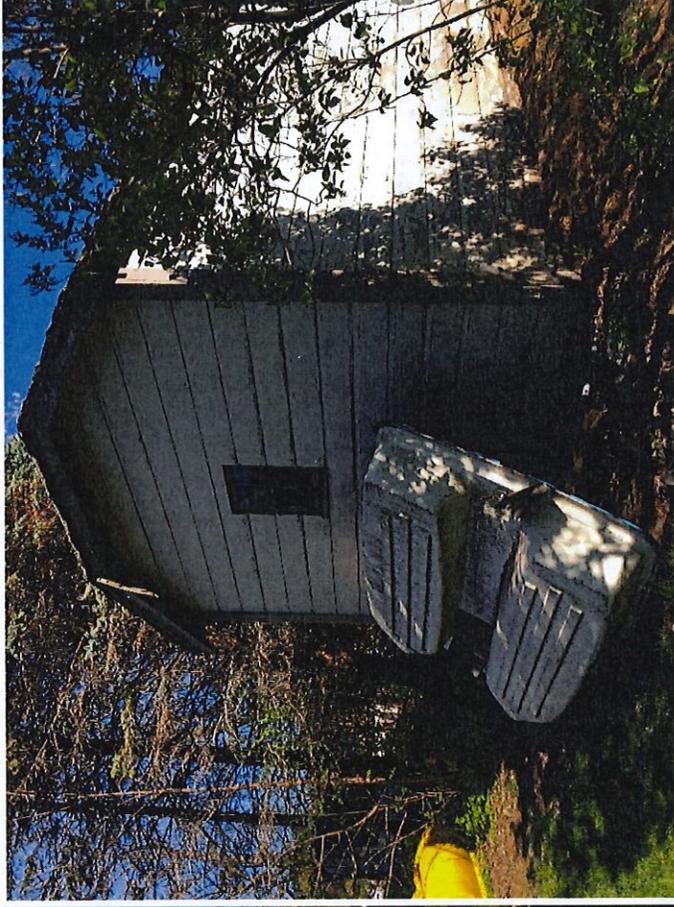
LEGALLY CONFORMING
GARAGE EXHIBIT

Variance Request – Photo Exhibits

622 E Anne Street



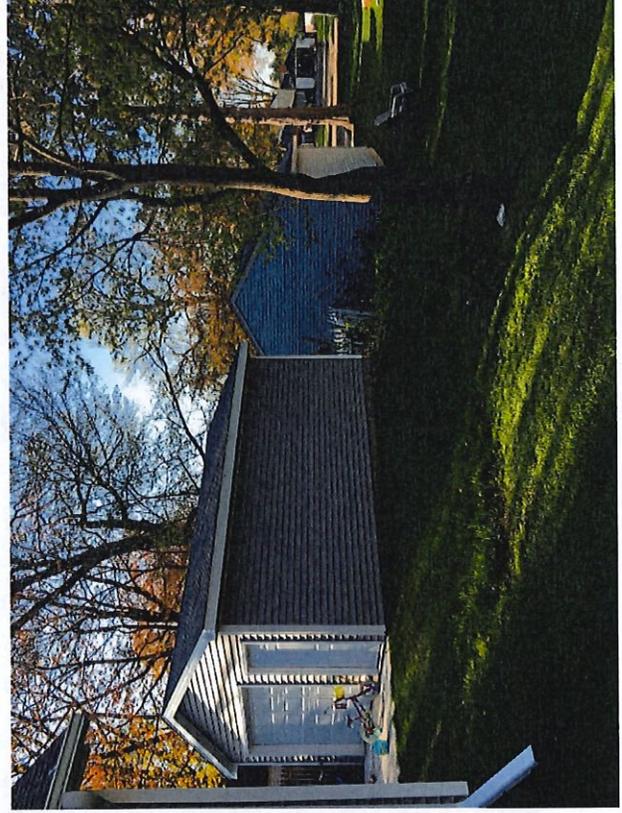
Looking East along North Property Line



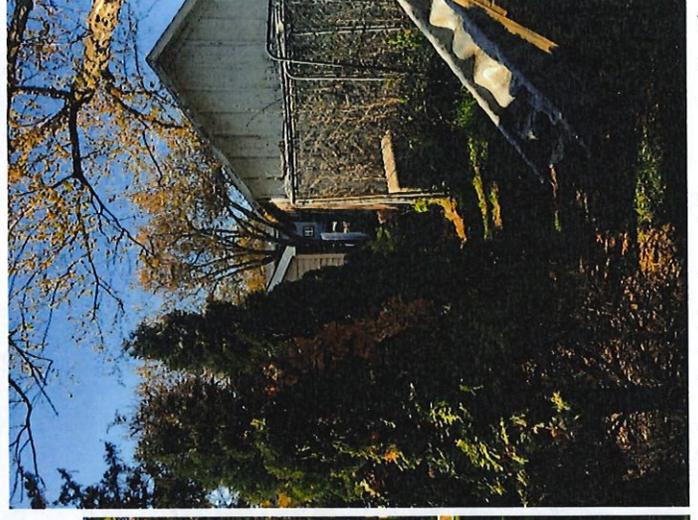
Existing Garage – North Side



Looking South along East Property Line



Existing Neighborhood Garages to West



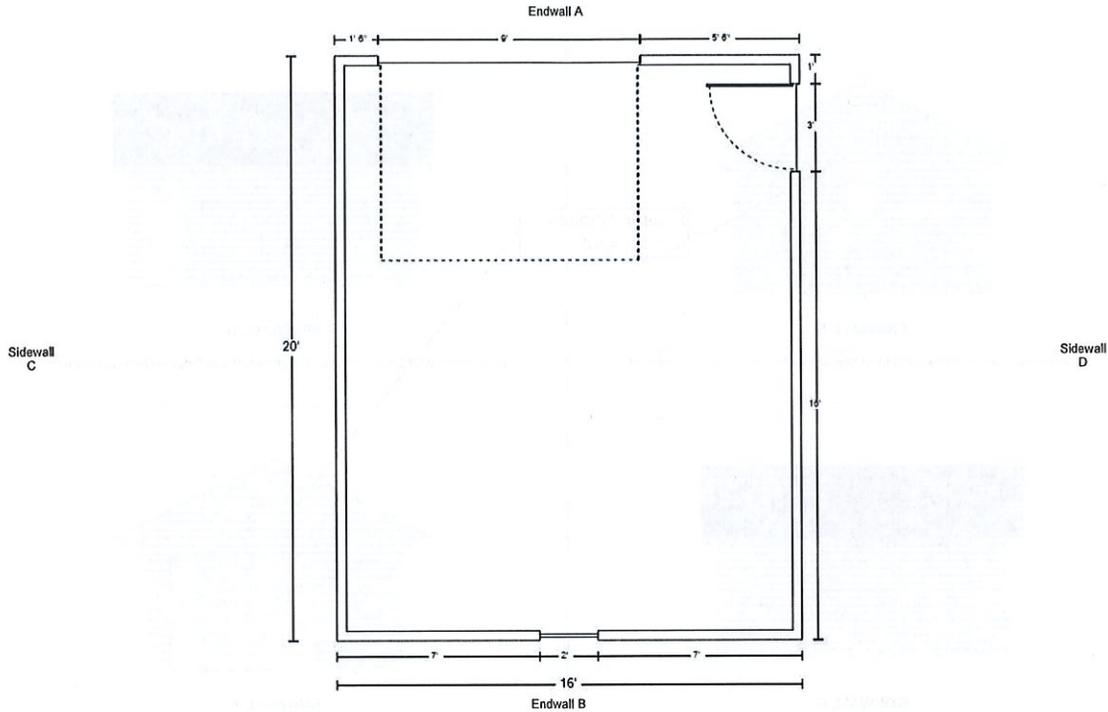
Existing Neighborhood Garages to North



PEWAUKEE, 1357 CAPITOL DR, PEWAUKEE, WI, 262-695-0664

Garage Floor Plan

**Illustration may not depict all selections.



Design Name: Garage Design
Design ID: 314353197138
Date: 04/13/2020
Estimate ID: 91953

How to purchase at the store

1. Take this packet to any Menards store.
2. Have a building materials team member enter the design number into the Garage Estimator Search Saved Designs page.
3. Apply the design to System V to create the material list.
4. Take the purchase documents to the register and pay.

How to recall and purchase a saved design at home

1. Go to Menards.com.
2. Select the Garage Estimator from the Project Center.
3. Select Search Saved Designs.
4. Log into your account.
5. Select the saved design to load back into the estimator.
6. Add your garage to the cart and purchase.

Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions.

MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully.

MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.





PEWAUKEE, 1357 CAPITOL DR, PEWAUKEE, WI, 262-695-0664

Design Summary

Here is a summary of all your customized selections.

Building Info:

- Roof Framing: Truss Construction
- Truss Type: Common
- Pitch: 6/12 Pitch
- Framing Size: 2" x 4"
- Width: 16'
- Length: 20'
- Height: 9'
- Gable Overhang: 1'
- Eave Overhang: 2'
- Block Option: 1 Row
- Block Type: 8" Standard Concrete Construction Block
- Block Color: NoColor
- Anchor bolt: Grip Fast 1/2" x 10" HDG Anchor Bolt w/ Nut & Washer
- Custom Garage Plan: Yes I need a custom building plan

Roof Info:

- Garage Roof Sheathing: 1/2" OSB (Oriented Strand Board)
- Roofing Material Type: Architectural Shingle
- Roof Vents: None
- Roof Vent Color: NoColor
- Ridge Vent: None
- Garage Roofing: Owens Corning® TruDefinition® Duration® Architectural Shingles (32.8 sq. ft.)
- Roofing Color: Brownwood
- Roof Underlayment: #15 Felt Roofing Underlayment 3' x 144' (432 sq. ft.)
- Ice and Water Barrier: Owens Corning® WeatherLock® G Granulated Self-Sealing Ice and Water Barrier 3' x 66.7' (200 sq. ft.)
- Garage Fascia Type: Engineered wood Fascia
- Garage Fascia: 1 x 6 Textured Engineered Wood Fascia (15-yr Paint Warranty)
- Fascia Color: Wicker Rocker-15YR
- Garage Soffit Type: Engineered wood Soffit
- Garage Soffit: 3/8X16" Vented Engineered Wood Soffit (15 Yr Paint Warranty)
- Soffit Color: Wicker Rocker-15YR
- Roof Edge: 12" Aluminum Style D Roof Edging
- Roof edge Color: White
- Gutter material Type: None

Additional Options:

- Wall Finish: None
- Truss Fastener: FastenMaster® TimberLOK® 5/16" x 6" Hex Drive Black Hex Head Wood Screw - 50 Count
- Ceiling Finish: None
- Wall Insulation: None
- Ceiling Insulation: None

Wall Info:

- Siding Material Types: LP Engineered Wood Siding
- Siding: LP® SmartSide® 3/8" x 5" x 16' Textured Strand Lap Siding
- Siding Color: Primed
- Engineered Wood Corner Trim Color: Biscayne Blue
- Accent Material Type: Engineered Wood
- Accent: PPG Prefinished™ 7/16" x 12" x 48" Reversible Fiber Shake (15 Yr Paint Warranty)
- Accent Siding Color: Wicker Rocker-15YR
- Endwall A Accent: yes add gable accent
- Endwall B Accent: yes add gable accent
- Wainscot Material Type: None
- House Wrap: Kimberly-Clark BLOCK-IT®9x75'House Wrap
- Gable Vents: None
- Gable Vent Color: NoColor
- Walls Sheathing: 7/16" OSB (Oriented Strand Board)

Openings:

- Northview Aspen 24"W x 24"H Vinyl Sliding Window with Built-in J-Channel: 1
- Ideal Door® 3-Star 9' x 7' White Standard Value Non-Insulated Garage Door: 1
- Mastercraft® Smooth White Fiberglass 6-Panel Exterior Door with Composite Frame: 1

What's Next

Finalized your Garage design? Great! Now it's time to set-up shipping!



If you have already set up your shipping/delivery options, please disregard this section

Set Up Shipping

1. If you completed the order online, check your email for a confirmation receipt and follow the directions included in it.
2. Take this printout to the Menards store location you selected (shown above).
3. Find a team member from the Building Materials department and show them your receipt and this print-out
4. Set up a time and location for delivery.



Design Name: Garage Design

Design ID: 314353197138

Estimate ID: 91953